

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 508, "An Act to require all
State banks, savings banks and bank
and trust companies to adopt by-laws
and file certified copies of such by-laws
with the Banking Commissioner; provid-
ing a penalty, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 509, "An Act making it a
felony for any stockholder, officer, di-
rector, employe or agent of any bank, in-
corporated and operating under the laws
of this State, to abstract, remove, de-
stroy or secrete any papers, books or
records of any such bank, or from the
custody of the Banking Commissioner;
providing a penalty; prescribing the
procedure for the indictment and trial
of principal offenders, accomplices and
accessories; repealing all laws in con-
flict, and declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 572, "An Act to amend Chap-
ter 2, Title 128, of the Revised Civil
Statutes of the State of Texas, adopted
at the Regular Session of the Thirty-
ninth Legislature, by adding thereto a
new article to be known as Article
7022a, authorizing lands, either within
or without existing water improvement
districts, to be included within a dis-
trict organized for co-operation with the
United States under the Federal Recla-
mation laws, for the purpose of the con-
struction of irrigation works or the ob-
taining of a water supply therefrom, and
declaring an emergency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 564, "An Act making ap-
propriations to cover deficiencies in ap-
propriations heretofore made for the
support of the State government for the
fiscal years ending August 31, 1926, and
August 31, 1927, and declaring an emer-
gency,"

Have carefully compared same and
find it correctly enrolled.

MORSE, Chairman.

THIRTY-EIGHTH DAY.

(Monday, March 14, 1927.)

The House met at 2 o'clock p. m.,
pursuant to adjournment, and was called
to order by Speaker Bobbitt.

The roll was called and the Speaker
announced that there was not a quorum
present.

Mr. Stout moved a call of the House
for the purpose of securing and main-
taining a quorum and the call was duly
seconded.

The Speaker then directed the Door-
keeper to close the main entrance to the
Hall and instructed the Sergeant-at-
Arms to lock all other doors leading
from the Hall, and stated that no mem-
ber would be permitted to leave the Hall
without written permission from the
Speaker.

On motion of Mr. Stout, the Sergeant-
at-Arms was instructed to bring in all
absent members within the city who are
not ill.

Mr. Petsch moved that the call of the
House be extended to 6 o'clock p. m.
today and the motion was lost.

On motion of Mr. Harding, the call of
the House was extended until 5 o'clock
p. m. today.

The roll was again called and the fol-
lowing members were present:

Acker.	Bateman.
Albritton.	Beck.
Alexander.	Black.
Avis.	Boggs.
Barnett.	Bonham.
Barron.	Branch.

Brice.	Pavlica.
Brown.	Pearce.
Conway.	Petsch.
Cornwell.	Poage.
Cox.	Pool.
Cummings.	Pope.
Daniel.	Porter.
Davis.	Powell.
DeBerry.	Purl.
Dunlap.	Ramsey.
Duvall.	Rawlins.
Enderby.	Renfro
Eickenroht.	of Angelina.
Faulk.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Runge.
Fuchs.	Sanders.
Gates.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Gray.	Sheats.
Hagaman.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of Atascosa.
Hefley.	Smith of El Paso.
High.	Smith of Nueces.
Hogg.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stell.
Johnson.	Stevenson.
Jones.	Storey.
Justice.	Stout.
Keeton.	Sutton.
Kemble.	Swain.
Kennedy.	Taylor.
Kincaid.	Teer.
King of	Tillotson.
Throckmorton.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Loftin.	Walker.
Long.	Wallace
Loy.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Ware.
Minor.	Wassell.
Montgomery.	Webb.
Morse.	Wells.
Moursund.	Whitaker.
Murphy.	Williams of Sabine.
Nabors.	Williams of Travis.
Nicholson.	Woodall.
Olsen.	Woodruff.
Parish of Runnels.	Young.
Parrish of Travis.	

Absent.

Anderson.	Kirby.
Bird.	Rowell.
Graves.	Turner.
King of Hopkins.	

Absent—Excused.

Bass.	Boon.
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Denman.	Lipscomb.
Dielmann.	Masterson.
Foster.	McKean.
Jacks.	Merritt.
Kayton.	Reagan.
Kenyon.	Wallace of Smith.
Kinnear.	Williamson.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Foster for today and the balance of the week, on motion of Mr. Morse.

Mr. Kayton and Mr. Dielmann for today, on motion of Mr. Moursund.

Mr. Reagan for today, on motion of Mr. Stout.

Mr. Lipscomb for today and the balance of the week, on motion of Mr. Harding.

Mr. Denman for today, on motion of Mr. Holland.

Mr. Kenyon for today, on motion of Mr. Shearer.

Mr. Jacks for today, on motion of Mr. Dunlap.

Mr. Runge for today and the balance of the week, on motion of Mr. Stout.

Mr. Williamson for today, on motion of Mr. Farrar.

Mr. Bass for today, on motion of Mr. Olsen.

Mr. Merritt for today, on motion of Mr. Hall.

Mr. Boon and Mr. Wallace of Smith for today and the balance of the week, on motion of Mr. Nabors.

The following members were granted leaves of absence on account of sickness:

Mr. McKean for today and the balance of the week, on motion of Mr. Rogers of Hays.

Mr. Masterson for today, on motion of Mr. Sheats.

RELATING TO ABSENT MEMBERS.

On motion of Mr. Purl, the Sergeant-at-Arms was instructed to wire all absent members not ill, to report for duty in the House at once.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 352, A bill to be entitled "An Act making an emergency and supplemental appropriation out of the general revenues of this State for the maintenance and repair of the Governor's Mansion and grounds, including repairs, improvements, labor and replacement, and for purchasing new furniture and furnishings, for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

And indefinitely postponed

H. B. No. 370, A bill to be entitled "An Act defining insurance agents for the purposes of this act; providing for the licensing of such agents; forbidding engaging in the business of insurance, as defined in this act, without a license; providing and prescribing who may be licensed; forbidding overinsurance; forbidding discrimination; forbidding rebating; giving authority to the Commissioner of Insurance to grant licenses, and to revoke licenses; authorizing the Commissioner to make or have made examinations, to call for facts under oath; providing penalties for violation of this act; giving parties aggrieved resort to the courts, and declaring an emergency."

Refused to engross

S. B. No. 181, A bill to be entitled "An Act to amend Articles 3101, 3102, 3111, 3115, 3117, 3127, 3134, 3135, 3136, 3137, 3139, 3140, 3146, 3148 and 3152, of Title 50, Chapter 13, of the Revised Civil Statutes of Texas, 1925, relating to primary elections, and to repeal Article 3138, of said title and chapter of said Statutes, and also to repeal Articles 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098 and 3099, of said Title 50, Chapter 12, of said Statutes and all other laws and parts of laws in conflict therewith, and to declare an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

PROVIDING FOR CODIFYING THE SCHOOL LAWS.

Mr. Brown offered the following resolution:

Whereas, The statutes of this State pertaining to the public school system are very indefinite and complicated, there being many over-lapping features and conflicting provisions on account of new

enactments having been added without repealing the old statutes and in many instances entirely disconnected from prior statutes dealing with the same subject matter; and

Whereas, This condition results in great confusion and difficulty in interpreting our school laws; and

Whereas, The school laws must be interpreted by local trustees and county superintendents; and

Whereas, Competent persons ought to be assigned to the duty of remedying this situation; now, therefore, be it

Resolved by the House of Representatives, That a committee of three members be appointed, two by the Speaker of the House out of the House membership and one by the Attorney General of Texas, to meet as soon after the adjournment of the Fortieth session of the Legislature as possible and proceed to compile all the laws of this State pertaining to the public school system, eliminating duplication and preparing a codification of these laws to the end that the same may be simplified and unified to such an extent that they may be easily understood, and interpreted; also to the end that the Legislature may ascertain with some degree of certainty the changes that are needed in the school laws in order that some agency may properly perform the functions heretofore performed by the Legislature in the correcting of defects in school district boundary lines; each member of said committee while engaged in said duties shall receive \$5.00 per day. Said committee may employ one stenographer for such time as is necessary in performing the said duty, said stenographer shall receive the same per diem as is paid by the Legislature during its regular session. All compensation and expenses herein provided for shall be paid out of the fund available for contingent expenses of the Fortieth Legislature.

Said committee shall make its report in writing to the First Called Session of the Fortieth Legislature.

Provided, that said committee shall not be in session and shall not charge any per diem expenses in excess of thirty days. Provided, that the total expenses and per diem provided for herein shall not exceed the sum of \$500, and provided no part of said sum shall be used to defray hotel and traveling expenses.

Signed—Brown, Powell, Shaver, Cummings, Holder, Pearce, Conway, Gilbert, Smith of Nueces, Hornaday, Young, Hall, Dielmann, Lipscomb, Daniel, Fly, Farrar, Woodall, Minor.

The resolution was read second time.
Question recurring on the resolution,
yeas and nays were demanded.
The resolution was adopted by the
following vote:

Yeas—53.

Mr. Speaker.	Parrish of Travis.
Acker.	Pavlica.
Barron.	Pearce.
Boggs.	Petsch.
Bonham.	Poage.
Branch.	Pool.
Brown.	Ramsey.
Conway.	Rawlins.
Cummings.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Enderby.	Shaver.
Farrar.	Shirley.
Finlay.	Simmons.
Hogg.	Sinks.
Holder.	Stevenson.
Hornaday.	Swain.
Jones.	Teer.
Keeton.	Van Zandt.
King of	Waddell.
Throckmorton.	Wallace
Loftin.	of Freestone.
Minor.	Wells.
Montgomery.	Williams
Morse.	of Sabine.
Murphy.	Williams
Nabors.	of Travis.
Nicholson.	Woodall.
Olsen.	Young.
Parish of Runnels.	

Nays—48.

Albritton.	McGill.
Alexander.	Moursund.
Avis.	Pope.
Barnett.	Purl.
Bateman.	Renfro
Brice.	of Angelina.
Davis.	Rogers of Shelby.
Faulk.	Satterwhite.
Forbes.	Shearer.
Gibson.	Sheats.
Gilbert.	Smith of Atascosa.
Gray.	Smith of El Paso.
Hagaman.	Smith of Nueces.
Harding.	Snelgrove.
Hefley.	Stell.
High.	Stout.
Holland.	Sutton.
Johnson.	Taylor.
Justice.	Tillotson.
Kennedy.	Veatch.
Kincaid.	Wallace of Panola.
Kirkland.	Ware.
Land.	Webb.
Loy.	Woodruff.
McCombs.	

Present—Not Voting.

Cornwell. Eickenroht.

Masterson.
Walker.

Wassell.

Absent.

Anderson.	Kemble.
Beck.	King of Hopkins.
Bird.	Kirby.
Black.	Long.
Cox.	Porter.
Daniel.	Powell.
Dunlap.	Rowell.
Duvall.	Sanders.
Fly.	Smith of Smith.
Fuchs.	Smyth.
Gates.	Storey.
Graves.	Turner.
Hall.	Whitaker.
Harman.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Mr. Morse moved to reconsider the
vote by which the resolution was adopted
and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 350 ON THIRD READING.

On motion of Mr. Acker, the regular
order of business was suspended to take
up and have placed on its third reading
and final passage,

S. B. No. 350, A bill to be entitled
"An Act to authorize the commission-
ers courts of the various counties of the
State of Texas to employ one or more
nurses for the purpose of assisting in
the promotion of public health and vis-
iting and inspecting the pupils of the
public schools, and to appropriate pub-
lic funds in payment thereof."

The Speaker laid the bill before the
House, it was read third time and was
passed by the following vote:

Yeas—61.

Mr. Speaker.	Forbes.
Acker.	Gibson.
Alexander.	Gilbert.
Conway.	Hagaman.
Cornwell.	Harding.
Daniel.	Harman.
DeBerry.	Holland.
Dunlap.	Hornaday.
Enderby.	Jones.
Fly.	Keeton.

Kemble.	Rawlins.
Kennedy.	Rogers of Hays.
Kincaid.	Rogers of Shelby.
Long.	Satterwhite.
Loy.	Shaver.
Masterson.	Shearer.
McCombs.	Sheats.
McGill.	Simmons.
Minor.	Smith of El Paso.
Montgomery.	Smith of Nueces.
Morse.	Smith of Smith.
Moursund.	Swain.
Nicholson.	Taylor.
Parish of Runnels.	Van Zandt.
Parrish of Travis.	Wallace
Petsch.	of Freestone.
Pool.	Wallace of Panola.
Pope.	Wells.
Porter.	Woodruff.
Ramsey.	Young.

Yeas—44.

Albritton.	Olsen.
Avis.	Pavlica.
Barnett.	Pearce.
Bateman.	Renfro
Black.	of Angelina.
Bonham.	Sinks.
Brice.	Smith of Atascosa.
Cummings.	Smyth.
Eickenroht.	Snelgrove.
Faulk.	Stell.
Finlay.	Storey.
Gray.	Stout.
Hall.	Sutton.
Hefley.	Tillotson.
High.	Veatch.
Johnson.	Waddell.
Justice.	Walker.
King of	Wassell.
Throckmorton.	Webb.
Kirkland.	Whitaker.
Land.	Williams
Loftin.	of Sabine.
Murphy.	Woodall.
Nabors.	

Present—Not Voting.

Farrar.	Renfro of Mills.
Holder.	

Absent.

Anderson.	King of Hopkins.
Barron.	Kirby.
Beck.	Poage.
Bird.	Powell.
Boggs.	Purl.
Branch.	Rowell.
Brown.	Sanders.
Cox.	Shirley.
Davis.	Stevenson.
Duvall.	Teer.
Fuchs.	Turner.
Gates.	Ware.
Graves.	Williams
Hogg.	of Travis.

Absent—Excused.

Bass.	Kinhear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

SENATE BILL NO. 271 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 271, A bill to be entitled "An Act to authorize the establishment of building lines on streets in cities which now have, or may hereafter have, five thousand or more inhabitants, and to provide the manner in which damages may be determined and paid and benefits assessed and collected."

The bill having heretofore been read second time.

Mr. Farrar offered the following amendment to the bill:

Amend Senate bill No. 271 by making it apply to cities of "15,000 and over" instead of "5000 and over."

Mr. Pope offered the following substitute for the amendment:

Amend Senate bill No. 271 by changing the words "five thousand" in caption to "two thousand" and to change the figures "5000" in line 29 to "2000."

On motion of Mr. Storey, the substitute amendment was tabled.

Question then recurring on the amendment by Mr. Farrar, it was adopted.

Mr. Farrar offered the following amendment to the bill:

Amend Senate bill No. 271 by changing word "five," in line 20, page 1, to word "fifteen."

The amendment was adopted.

Senate bill No. 271 was then passed to third reading.

SENATE BILL NO. 271 ON THIRD READING.

Mr. McCombs moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Minor.
Acker.	Montgomery.
Alexander.	Morse.
Avis.	Moursund.
Barnett.	Murphy.
Barron.	Nabors.
Black.	Nicholson.
Boggs.	Parish of Runnels.
Bonham.	Parrish of Travis.
Branch.	Pearce.
Brice.	Petsch.
Conway.	Poage
Cornwell.	Pool.
Cummings.	Porter.
Daniel.	Ramsey.
Davis.	Rawlins.
DeBerry.	Renfro of Mills.
Dunlap.	Rogers of Hays.
Duvall.	Rogers of Shelby.
Enderby.	Satterwhite.
Eickenroht.	Shearer.
Farrar.	Sheats.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Smith of Atascosa.
Fuchs.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Gray.	Smith of Smith.
Hagaman.	Snelgrove.
Hall.	Stell.
Harding.	Storey.
Harman.	Swain.
Hogg.	Taylor.
Holder.	Teer.
Holland.	Tillotson.
Hornaday.	Van Zandt.
Jones.	Veatch.
Justice.	Waddell.
Keeton.	Wallace
Kemble.	of Freestone.
Kenyon.	Wallace of Panola.
Kincaid.	Wassell.
King of	Wells.
Throckmorton.	Williams
Long.	of Sabine.
Loy.	Williams
Masterson.	of Travis.
McCombs.	Woodall.
McGill.	Young.

Nays—18.

Albritton.	Loftin.
Bateman.	Olsen.
Faulk.	Pavlica.
Gates.	Pope.
Gibson.	Renfro
Hefley.	of Angelina.
High.	Sanders.
Kennedy.	Stout.
Kirkland.	Walker.
Land.	Woodruff.

Present—Not Voting.

Webb.

Absent.

Anderson.	Purl.
Beck.	Rowell.
Bird.	Shaver.
Brown.	Shirley.
Cox.	Smyth.
Graves.	Stevenson.
Johnson.	Sutton.
King of Hopkins.	Turner.
Kirby.	Ware.
Powell.	Whitaker.

Absent—Excused.

Bass.	Lipscomb.
Boon.	McKean.
Denman.	Merritt.
Dielmann.	Reagan.
Foster.	Runge.
Jacks.	Wallace of Smith.
Kayton.	Williamson.
Kinnear.	

The Speaker then laid Senate bill No. 271 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—83.

Mr. Speaker.	Justice.
Acker.	Keeton.
Albritton.	Kemble.
Alexander.	Kincaid.
Avis.	King of
Barnett.	Throckmorton.
Black.	Loy.
Boggs.	Masterson.
Branch.	McCombs.
Brown.	McGill.
Conway.	Minor.
Cornwell.	Montgomery.
Cummings.	Morse.
Daniel.	Moursund.
Davis.	Nicholson.
Enderby.	Olsen.
Eickenroht.	Parrish of Travis.
Farrar.	Pearce.
Fly.	Petsch.
Forbes.	Poage
Fuchs.	Porter.
Gates.	Ramsey.
Gilbert.	Rawlins.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Sanders.
Harman.	Satterwhite.
Hefley.	Shaver.
Hogg.	Shearer.
Holder.	Sheats.
Holland.	Simmons.
Hornaday.	Sinks.
Jones.	Smith of Atascosa.

Smith of El Paso.	Waddell.
Smith of Nueces.	Wallace
Smith of Smith.	of Freestone.
Snelgrove.	Wallace of Panola.
Stell.	Wells.
Storey.	Williams
Swain.	of Sabine.
Taylor.	Williams
Tillotson.	of Travis.
Van Zandt.	Woodall.
Veatch.	

Nays—21.

Brice.	Nabors.
Dunlap.	Parish of Runnels.
Faulk.	Pavlica.
Gray.	Pope.
High.	Renfro
Kennedy.	of Angelina.
Kirkland.	Renfro of Mills.
Land.	Stout.
Loftin.	Walker.
Long.	Woodruff.
Murphy.	Young.

Present—Not Voting.

DeBerry.	Webb.
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Absent.

Anderson.	Pool.
Barron.	Powell.
Bateman.	Purl.
Beck.	Rowell.
Bird.	Shirley.
Bonham.	Smyth.
Cox.	Stevenson.
Duvall.	Sutton.
Finlay.	Teer.
Gibson.	Turner.
Graves.	Ware.
Johnson.	Wassell.
King of Hopkins.	Whitaker.
Kirby.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

HOUSE BILL NO. 352 WITH SENATE AMENDMENTS.

Mr. Harman called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 352, A bill to be entitled "An Act making an emergency and supplemental appropriation out of the general revenues of this State for the maintenance and repair of the Governor's

Mansion and grounds, including repairs, improvements, labor and replacement, and for purchasing new furniture and furnishings, for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Harman, the House concurred in the Senate amendments by the following vote:

Yeas—107.

Mr. Speaker.	Masterson.
Acker.	McCombs.
Albritton.	McGill.
Avis.	Minor.
Barnett.	Montgomery.
Bateman.	Morse.
Black.	Moursund.
Boggs.	Murphy.
Bonham.	Nabors.
Branch.	Nicholson.
Brice.	Olsen.
Conway.	Parish of Runnels.
Cornwell.	Parrish of Travis.
Cummings.	Pearce.
Daniel.	Petsch.
Davis.	Poage.
DeBerry.	Pope.
Duvall.	Porter.
Enderby.	Purl.
Eickenroht.	Ramsey.
Farrar.	Rawlins.
Faulk.	Renfro
Finlay.	of Angelina.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Fuchs.	Rogers of Shelby.
Gates.	Sanders.
Gibson.	Satterwhite.
Gilbert.	Shearer.
Gray.	Simmons.
Hagaman.	Sinks.
Hall.	Smith of Atascosa.
Harding.	Smith of El Paso.
Harman.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Snelgrove.
Hogg.	Stell.
Holder.	Stevenson.
Holland.	Storey.
Hornaday.	Stout.
Johnson.	Sutton.
Jones.	Swain.
Justice.	Taylor.
Keeton.	Teer.
Kemble.	Tillotson.
Kirkland.	Van Zandt.
Land.	Veatch.
Lipscomb.	Waddell.
Loftin.	Walker.
Long.	Wallace
Loy.	of Freestone.

Wallace of Panola. Williams
Wassell. of Travis.
Webb. Woodall.
Wells. Woodruff.
Williams
of Sabine.

Nays—1.

Kennedy.

Absent.

Alexander.	Kirby.
Anderson.	Pavlica.
Barron.	Pool.
Beck.	Powell.
Bird.	Rowell.
Brown.	Shaver.
Cox.	Sheats.
Dunlap.	Shirley.
Graves.	Smyth.
Kincaid.	Turner.
King of Hopkins.	Ware.
King of	Whitaker.
Throckmorton.	Young.

Absent—Excused.

Bass.	Kinnear.
Boon.	McKean.
Denman.	Merritt.
Dielmann.	Reagan.
Foster.	Runge.
Jacks.	Wallace of Smith.
Kayton.	Williamson.
Kenyon.	

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 561.

The Speaker laid before the House, for consideration at this time, the report of the conference committee on House bill No. 561, the report having been read on last Friday, March 11.

On motion of Mr. Teer, the report was adopted by the following vote:

Yeas—93.

Mr. Speaker.	Faulk.
Acker.	Fly.
Barnett.	Forbes.
Barron.	Fuchs.
Bateman.	Gibson.
Boggs.	Gilbert.
Bonham.	Hagaman.
Branch.	Harding.
Brice.	Harman.
Brown.	Hefley.
Conway.	High.
Cornwell.	Hogg.
Cummings.	Holder.
Daniel.	Holland.
DeBerry.	Hornaday.
Duvall.	Johnson.
Enderby.	Jones.
Eickenroht.	Justice.

Kemble.	Sheats.
Kirkland.	Simmons.
Land.	Sinks.
Loftin.	Smith of Atascosa.
Long.	Smith of El Paso.
Masterson.	Smith of Nueces.
McCombs.	Smith of Smith.
McGill.	Smyth.
Minor.	Stevenson.
Montgomery.	Storey.
Morse.	Sutton.
Moursund.	Swain.
Murphy.	Taylor.
Nabors.	Teer.
Nicholson.	Tillotson.
Olsen.	Van Zandt.
Parish of Runnels.	Veatch.
Parrish of Travis.	Waddell.
Pavlica.	Wallace
Petsch.	of Freestone.
Pool.	Wallace of Panola.
Pope.	Wassell.
Porter.	Webb.
Ramsey.	Williams
Rawlins.	of Sabine.
Rogers of Hays.	Williams
Rogers of Shelby.	of Travis.
Sanders.	Woodall.
Satterwhite.	Woodruff.
Shaver.	Young.
Shearer.	

Nays—17.

Albritton.	King of
Alexander.	Throckmorton.
Avis.	Pearce.
Black.	Poage.
Farrar.	Renfro of Mills.
Finlay.	Snelgrove.
Hall.	Stell.
Kennedy.	Stout.
Kincaid.	Walker.

Present—Not Voting.

Dunlap.

Absent.

Anderson.	Loy.
Beck.	Powell.
Bird.	Purl.
Cox.	Renfro
Davis.	of Angelina.
Gates.	Rowell.
Graves.	Shirley.
Gray.	Turner.
Keeton.	Ware.
King of Hopkins.	Wells.
Kirby.	Whitaker.

Absent—Excused.

Bass.	Kayton.
Boon.	Kenyon.
Denman.	Kinnear.
Dielmann.	Lipscomb.
Foster.	McKean.
Jacks.	Merritt.

Reagan.
Runge.

Wallace of Smith.
Williamson.

SENATE BILL NO. 438 ON SECOND
READING.

On motion of Mr. Nicholson, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 438, A bill to be entitled "An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal annuities and benefits in use by any employer, shall be liable to execution, attachment, garnishment or other process or operation of law to pay any debt or liability of the insured or any beneficiary, either before or after payment, except for premiums on such policy or debts of the insured secured by said policy."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 438 ON THIRD
READING.

Mr. Nicholson moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Hagaman.
Acker.	Hall.
Alexander.	Harding.
Avis.	Harman.
Barnett.	Hefley.
Black.	High.
Boggs.	Hogg.
Branch.	Holder.
Brice.	Holland.
Brown.	Hornaday.
Conway.	Johnson.
Cornwell.	Justice.
Cummings.	Keeton.
Daniel.	Kemble.
DeBerry.	Kincaid.
Enderby.	King of
Faulk.	Throckmorton.
Fly.	Kirby.
Forbes.	Long.
Fuchs.	Minor.
Gibson.	Montgomery.
Gilbert.	Morse.
Gray.	Moursund.

Murphy.
Nabors.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Petsch.
Pool.
Pope.
Porter.
Powell.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Shaver.
Shearer.
Simmons.
Sinks.

Smith of Atascosa.
Smith of El Paso.
Smith of Smith.
Smyth.
Snelgrove.
Stevenson.
Storey.
Swain.
Taylor.
Teer.
Tillotson.
Veatch.
Waddell.
Wallace
of Freestone.
Wallace of Panola.
Wassell.
Webb.
Williams
of Sabine.
Williams
of Travis.
Woodruff.
Young.

Nays—16.

Albritton.
Eickenroht.
Finlay.
Kennedy.
Kirkland.
Masterson.
McCombs.
Olsen.

Sanders.
Sheats.
Smith of Nueces.
Stell.
Stout.
Van Zandt.
Walker.
Woodall.

Present—Not Voting.

Dunlap.
Farrar.

Sutton.

Absent.

Anderson.
Barron.
Bateman.
Beck.
Bird.
Bonham.
Cox.
Davis.
Duvall.
Gates.
Graves.
Jones.
King of Hopkins.

Land.
Loftin.
Loy.
McGill.
Poage.
Rowell.
Satterwhite.
Shirley.
Turner.
Ware.
Wells.
Whitaker.

Absent—Excused.

Bass.
Boon.
Denman.
Dielmann.
Foster.
Jacks.
Kayton.
Kenyon.

Kinnear.
Lipscomb.
McKean.
Merritt.
Reagan.
Runge.
Wallace of Smith.
Williamson.

The Speaker then laid Senate bill No. 438 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—87.

Mr. Speaker.	Parish of Runnels.
Acker.	Parrish of Travis.
Avis.	Pearce.
Barnett.	Petsch.
Black.	Poage.
Boggs.	Pool.
Bonham.	Pope.
Branch.	Porter.
Brice.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cummings.	Renfro
Daniel.	of Angelina.
Davis.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Farrar.	Shaver.
Faulk.	Shearer.
Fly.	Simmons.
Forbes.	Sinks.
Gibson.	Smith of Atascosa.
Gilbert.	Smith of El Paso.
Gray.	Smith of Smith.
Hall.	Smyth.
Harding.	Snelgrove.
Harman.	Stell.
Hefley.	Stevenson.
Hogg.	Storey.
Holder.	Sutton.
Holland.	Swain.
Johnson.	Taylor.
Justice.	Teer.
Kemble.	Veatch.
Kennedy.	Waddell.
Kincaid.	Walker.
King of	Wallace
Throckmorton.	of Freestone.
Long.	Wallace of Panola.
Minor.	Wassell.
Montgomery.	Webb.
Morse.	Williams
Moursund.	of Sabine.
Murphy.	Williams
Nabors.	of Travis.
Nicholson.	Young.

Nays—11.

Albritton.	Pavlica.
Finlay.	Sheats.
Kirkland.	Stout.
Masterson.	Van Zandt.
McCombs.	Woodall.
Olsen.	

Present—Not Voting.

Eickenroht.	Keeton.
Fuchs.	Sanders.

Absent.

Alexander.	Kirby.
Anderson.	Land.
Barron.	Loftin.
Bateman.	Loy.
Beck.	McGill.
Bird.	Rowell.
Cox.	Satterwhite.
Dunlap.	Shirley.
Duvall.	Smith of Nueces.
Gates.	Tillotson.
Graves.	Turner.
Hagaman.	Ware.
High.	Wells.
Hornaday.	Whitaker.
Jones.	Woodruff.
King of Hopkins.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

SENATE BILL NO. 380 ON SECOND READING.

On motion of Mr. Parrish of Travis, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 380, A bill to be entitled "An Act amending Article 416 of the Revised Civil Statutes of 1925, relating to savings banks; authorizing the investment of the saving deposits of such banks in additional classes of securities; enacting provisions better regulating such investments, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Parrish of Travis offered the following amendment to the bill:

Amend Senate bill No. 380 by inserting the word "permanent" between the words "for" and "improvements," in lines 34 and 35, page 1, Section 2.

The amendment was adopted.

Mr. Cummings offered the following amendment to the bill:

Amend Senate bill No. 380, page 2, Section 5, by striking out all after semi-colon, line 23, to semi-colon, line 26.

The amendment was adopted.

Mr. Moursund offered the following amendment to the bill:

Amend Senate bill No. 380 by striking out all of lines 33 and 34, and all of line

35 to the semi-colon, and insert in lieu thereof the following: "2. In bonds, interest bearing notes or other obligations issued under due authority of law in payment for permanent improvements made."

The amendment was adopted.

Senate bill No. 380 was then passed to third reading.

SENATE BILL NO. 380 ON THIRD READING.

Mr. Parrish of Travis moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 380 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	King of
Alexander.	Throckmorton.
Avis.	Kirby.
Barnett.	Kirkland.
Barron.	Land.
Bateman.	Loftin.
Boggs.	Long.
Bonham.	McCombs.
Branch.	McGill.
Brice.	Minor.
Brown.	Montgomery.
Conway.	Morse.
Cornwell.	Moursund.
Cummings.	Nicholson.
Daniel.	Parish of Runnels.
DeBerry.	Parrish of Travis.
Dunlap.	Pearce.
Duvall.	Petsch.
Enderby.	Poage.
Eickenroht.	Pool.
Farrar.	Pope.
Faulk.	Porter.
Fly.	Purl.
Forbes.	Ramsey.
Fuchs.	Rawlins.
Gates.	Renfro
Gibson.	of Angelina.
Gilbert.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hall.	Sanders.
Harding.	Satterwhite.
Harman.	Shaver.
Hefley.	Shearer.
High.	Simmons.
Hogg.	Sinks.
Holder.	Smith of Atascosa.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Johnson.	Smith of Smith.
Jones.	Smyth.
Justice.	Snelgrove.
Keeton.	Stell.
Kemble.	Stevenson.

Storey.
Stout.
Sutton.
Swain.
Taylor.
Teer.
Tillotson.
Van Zandt.
Veatch.
Waddell.

Wallace of Panola.
Wassell.
Webb.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—9.

Albritton.
Finlay.
Kennedy.
Kincaid.
Murphy.

Nabors.
Olsen.
Pavlica.
Walker.

Absent.

Acker.
Anderson.
Beck.
Bird.
Black.
Cox.
Davis.
Graves.
King of Hopkins.
Loy.
Masterson.

Powell.
Rowell.
Sheats.
Shirley.
Turner.
Wallace
of Freestone.
Ware.
Wells.
Whitaker.

Absent—Excused.

Bass.
Boon.
Denman.
Dielmann.
Foster.
Jacks.
Kayton.
Kenyon.

Kinnear.
Lipscomb.
McKean.
Merritt.
Reagan.
Runge.
Wallace of Smith.
Williamson.

The Speaker then laid Senate bill No. 380 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Duvall.
Albritton.	Enderby.
Alexander.	Eickenroht.
Avis.	Farrar.
Barnett.	Faulk.
Barron.	Finlay.
Bateman.	Fly.
Boggs.	Forbes.
Bonham.	Fuchs.
Branch.	Gibson.
Brice.	Gilbert.
Brown.	Hagaman.
Conway.	Harding.
Cornwell.	Harman.
Cummings.	High.
Daniel.	Hogg.
DeBerry.	Holder.

Holland.	Renfro of Mills.
Hornaday.	Rogers of Hays.
Johnson.	Rogers of Shelby.
Jones.	Sanders.
Justice.	Satterwhite.
Keeton.	Shearer.
Kemble.	Simmons.
Kennedy.	Sinks.
King of	Smith of Atascosa.
Throckmorton.	Smith of El Paso.
Kirby.	Smith of Nueces.
Kirkland.	Smith of Smith.
Land.	Smyth.
Loftin.	Snelgrove.
Long.	Stell.
Masterson.	Stevenson.
McCombs.	Sutton.
McGill.	Swain.
Minor.	Teer.
Montgomery.	Tillotson.
Morse.	Van Zandt.
Moursund.	Veatch.
Nicholson.	Waddell.
Parish of Runnels.	Wallace
Parrish of Travis.	of Freestone.
Pearce.	Wallace of Panola.
Petsch.	Webb.
Poage.	Williams
Pool.	of Sabine.
Pope.	Williams
Porter.	of Travis.
Purl.	Woodall.
Ramsey.	Woodruff.
Renfro	Young.
of Angelina.	

Nays—6.

Gray.	Nabors.
Kincaid.	Olsen.
Murphy.	Walker.

Present—Not Voting.

Wassell.

Absent.

Acker.	Pavlica.
Anderson.	Powell.
Beck.	Rawlins.
Bird.	Rowell.
Black.	Shaver.
Cox.	Sheats.
Davis.	Shirley.
Dunlap.	Storey.
Gates.	Stout.
Graves.	Taylor.
Hall.	Turner.
Hefley.	Ware.
King of Hopkins.	Wells.
Loy.	Whitaker.

Absent—Excused.

Bass.	Foster.
Boon.	Jacks.
Denman.	Kayton.
Dielmann.	Kenyon.

Kinnear.	Reagan.
Lipscomb.	Runge.
McKean.	Wallace of Smith.
Merritt.	Williamson.

HOUSE BILL NO. 263 ON SECOND READING.

On motion of Mr. Pearce, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 263, A bill to be entitled "An Act to provide for the appointment by the commissioners courts of the different counties of Texas a county sealer of weights and measures, and providing for his compensation; providing that the county sealer of weights and measures shall be equipped with weights and measuring devices at the expense of the county, to be authenticated by the Commissioner of Agriculture; and providing that such county sealer of weights and measures shall at all times work under the direction of the Commissioner of Agriculture in the enforcement of the Weights and Measures Laws; providing that such county sealer of weights and measures shall co-operate with the city sealer of weights and measures and any incorporated city having a city sealer of weights and measures; providing that the commissioners courts of two or more adjacent counties may combine such counties into one district and appoint a sealer of weights and measures for such district with the same powers and privileges as a county sealer of weights and measures, and providing for his compensation."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

(Mr. Satterwhite in the chair.)

SENATE BILL NO. 258 ON SECOND READING.

On motion of Mr. Poage, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 258, A bill to be entitled "An Act relating to free textbooks for the public free schools of this State; amending Sections 30, 31, 33, 34 and 39, and repealing Sections 40 and 41, of Chapter 176, of the General Laws of the Regular Session of the Thirty-ninth Legislature of this State; providing for the setting aside of funds for free textbooks used in the public schools of this State;

requiring reports as to the funds for said textbooks; providing for the distribution of the amount set aside for free textbooks direct to the schools using such books and the purchase of same by such schools themselves from the various textbook depositories or agencies, and providing that any free textbook moneys not so used by any such school shall become a part of its available school moneys and may be used by it for general school purposes; making the necessary changes in the statutes to accomplish the main purpose of this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 258, page 3 of the printed bill by striking from lines 18 and 19 the following words: "add the same to its available school moneys, and out of such free text-book moneys shall," and insert in lieu thereof the following: "use so much of same as necessary to."

The amendment was adopted.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 258 by striking out beginning on line 23, page 3, of the printed bill, immediately after the word "purposes," the remainder of said line 23 and all of lines 24, 25, 26, 27 and 28, and inserting in lieu thereof the following:

"Text books for all common school districts shall be purchased for such districts by the county superintendent and text books for all independent school districts shall be purchased by the superintendents of said independent school districts. All purchases of books shall be made by requisition upon a text book depository or agency not later than three months before said books are required for use in the schools, provided that books may be requisitioned in case of emergency and it shall be the duty of the depository or agency to fill emergency requisitions at the earliest possible date."

The amendment was adopted.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 258 by inserting immediately after Section 39, on page 3 of the printed bill, a section to be known as Section 40, which section amends the section of the same number in Chapter 176, printed laws of the Thirty-ninth Legislature enacted at its Regular Session, said Section 40 to hereafter read as follows:

"Section 40. It shall be the duty of county and independent school district superintendents to draw a warrant within sixty days from date of shipment for all text books requisitioned by said superintendents, said warrants to be payable to the depositories or agencies shipping the books. These warrants shall be registered and paid by the county treasurer or independent school district treasurer in the order in which they are registered and if there is no money available to pay said warrant when presented for payment, they shall be paid out of the first money available that is apportioned to said treasurer, as provided in this act. All warrants issued as herein provided, shall bear interest at the rate of six per cent per annum, such interest to be charged from and after 90 days after delivery of books, for which issued, until payment, such date of delivery to be noted by such county or independent school district superintendent upon warrant when issued by him. The words 'treasury' or 'treasurer' as used in this act shall and does include the legal depository in which, under this or any other law, the text book fund may be deposited."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—89.

Mr. Speaker.	Holder.
Acker.	Jones.
Albritton.	Justice.
Alexander.	Keeton.
Barron.	Kemble.
Bateman.	Kincaid.
Beck.	Kirby.
Black.	Kirkland.
Boggs.	Land.
Bonham.	Loftin.
Branch.	Long.
Brice.	McCombs.
Brown.	McGill.
Cornwell.	Minor.
Cummings.	Montgomery.
DeBerry.	Morse.
Enderby.	Moursund.
Eickenroht.	Murphy.
Farrar.	Nabors.
Faulk.	Nicholson.
Finlay.	Olsen.
Fly.	Parish of Runnels.
Forbes.	Parrish of Travis.
Fuchs.	Pavlica.
Gray.	Pearce.
Hagaman.	Poage.
Hall.	Pool.
Hefley.	Porter.
High.	Ramsey.
Hogg.	Rawlins.

Renfro	Stout.
of Angelina.	Sutton.
Rogers of Hays.	Swain.
Rogers of Shelby.	Taylor.
Sanders.	Teer.
Satterwhite.	Tillotson.
Shaver.	Veatch.
Shearer.	Waddell.
Sheats.	Wallace
Shirley.	of Freestone.
Simmons.	Wallace of Panola.
Sinks.	Ware.
Smith of El Paso.	Wassell.
Smith of Smith.	Williams
Stell.	of Travis.
Stevenson.	Woodall.
Storey.	Woodruff.

Nays—14.

Avis.	Masterson.
Conway.	Pope.
Gilbert.	Purl.
Harding.	Snelgrove.
Hornaday.	Van Zandt.
Kennedy.	Walker.
King of	Young.
Throckmorton.	

Present—Not Voting.

Duvall.	Webb.
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Absent.

Anderson.	Loy.
Barnett.	Petsch.
Bird.	Powell.
Cox.	Renfro of Mills.
Daniel.	Rowell.
Davis.	Smith of Atascosa.
Dunlap.	Smith of Nueces.
Gates.	Smyth.
Gibson.	Turner.
Graves.	Wells.
Harman.	Whitaker.
Holland.	Williams
Johnson.	of Sabine.
King of Hopkins.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Mr. Fly offered the following amendment to the bill:

Amend Senate bill No. 258 on page 3, line 6, by striking out the words "scholastic population" and insert therefor the words "total enrollment."

The amendment was adopted.

Mr. Fly offered the following amendment to the bill:

Amend Senate bill No. 258 on page 2 by striking out all of line 21.

Mr. Morse moved the previous question on the pending amendment and the bill, and the main question was ordered.

On motion of Mr. McCombs the call of the House was extended until 5:30 o'clock p. m. today.

Question recurring on the amendment by Mr. Fly, it was adopted.

Senate bill No. 258 was then passed to third reading by the following vote:

Yeas—71.

Acker.	Murphy.
Albritton.	Nabors.
Alexander.	Olsen.
Avis.	Parrish of Travis.
Barnett.	Pearce.
Beck.	Petsch.
Black.	Poage.
Boggs.	Pool.
Bonham.	Ramsey.
Branch.	Renfro
Brice.	of Angelina.
Brown.	Rogers of Shelby.
Conway.	Satterwhite.
Davis.	Shaver.
Enderby.	Shearer.
Eickenroht.	Shirley.
Faulk.	Simmons.
Fly.	Sinks.
Fuchs.	Smith of El Paso.
Gates.	Smith of Smith.
Gibson.	Smyth.
Gray.	Stell.
Harding.	Stevenson.
Hesley.	Sutton.
High.	Taylor.
Hogg.	Tillotson.
Holder.	Van Zandt.
Jones.	Veatch.
Keeton.	Waddell.
Kemble.	Wallace
Kirby.	of Freestone.
Kirkland.	Wallace of Panola.
Long.	Webb.
Loy.	Williams
McCombs.	of Sabine.
McGill.	Williams
Montgomery.	of Travis.
Morse.	Woodall.

Nays—28.

Bateman.	Hornaday.
Cornwell.	Kennedy.
Cummings.	Kincaid.
DeBerry.	King of
Finlay.	Throckmorton.
Forbes.	Loftin.
Gilbert.	Masterson.
Graves.	Nicholson.
Hall.	Parish of Runnels.

Pope.	Snelgrove.
Porter.	Stout.
Purl.	Walker.
Rawlins.	Wassell.
Rogers of Hays.	Young.
Sheats.	

Present—Not Voting.

Dunlap.	Farrar.
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Absent.

Anderson.	Pavlica.
Barron.	Powell.
Bird.	Renfro of Mills.
Cox.	Rowell.
Daniel.	Sanders.
Duvall.	Smith of Atascosa.
Hagaman.	Smith of Nueces.
Harman.	Storey.
Holland.	Swain.
Johnson.	Teer.
Justice.	Turner.
King of Hopkins.	Ware.
Land.	Wells.
Minor.	Whitaker.
Moursund.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Reasons for My Vote on Senate Bill No. 258.

The previous question was ordered as soon as the committee amendments were adopted and the debate was cut off, and under the rules of the House, none but the proponent of the measure being allowed to close the argument. I take this opportunity of placing in the Journal my reasons, which I would have given to the House for opposing the bill.

1. The plan of the bill necessarily puts the financial interest of the teachers in any school against the actual interests of the pupils. This is brought about by reason of the fact that the funds distributed to the respective schools by the State Board of Education from the available free school book fund, in so far as they are not used for the purchase of books, become available for the general operating expenses of the district, which includes, of course, the salaries of teachers, and thereby additional funds will be made available with which salaries may be increased. The pupils

themselves have no voice under this arrangement in determining when they shall be supplied new books, and if teachers are so inclined they may require pupils to go without books entirely, or to continue the use of old books that have become so worn or mutilated as to be unfit for further use. For example, some arithmetic book in use might have some missing pages, including, for instance, the multiplication table torn out, but if a teacher was so inclined, the pupil might be required to continue use of that book, upon the theory that the matter shown on those pages might be gotten from some other book. By doing this the price on the new book might be saved to the advantage of the teachers and to the disadvantage of the pupils.

2. This bill, if enacted, will permit the large publishing concerns to send their agents to the various school officials and undertake to interest the county and city superintendents to have a large quantity of their books ordered whether actually needed, or not, and the smaller concerns will be unable to maintain such agencies and would be greatly handicapped.

3. As I understand the matter, the distribution of these funds would be made upon the basis of scholastic population and in the same manner provided in Article 2663 for the available school money. In certain sections of the State the number of scholastics has been largely exaggerated, and by reason thereof, a much larger amount of money procured under the scholastic apportionment than the schools in those particular sections should have received. Another reason is that in some districts where there is a large number of scholastics the actual attendance is much less. This would result in apportioning to such districts a much larger amount of money than they actually need to purchase free text books with.

4. Under the present arrangements the State Department of Education and the State Board of Education composed of the Governor, the Secretary of State and the Comptroller can keep a close check on the distribution and use of textbooks.

5. The tendency of the whole matter will be to impair the efficiency of the State's policy to furnish and distribute free text books for the use of pupils in Texas.

For above reasons I voted "nay."

PURL.

The above reasons are joined in and given also as my reasons for voting

"nay" on said bill with many more reasons, too numerous to mention.

CUMMINGS.

MOTION TO TAKE UP SENATE BILL
NO. 258.

Mr. Poage moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 258 be placed on its third reading and final passage.

The motion was lost, not receiving the necessary four-fifths vote, by the following vote:

Yeas—71.

Acker.	Parish of Runnels.
Alexander.	Parrish of Travis.
Avis.	Pavlica.
Barnett.	Pearce.
Barron.	Petsch.
Beck.	Poage.
Black.	Pool.
Branch.	Ramsey.
Brice.	Rawlins.
Conway.	Renfro
Davis.	of Angelina.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Shelby.
Finlay.	Satterwhite.
Fly.	Shaver.
Fuchs.	Shearer.
Gates.	Shirley.
Gibson.	Simmons.
Gray.	Sinks.
Hagaman.	Smith of El Paso.
Hefley.	Smith of Smith.
High.	Stevenson.
Hogg.	Taylor.
Holder.	Tillotson.
Jones.	Van Zandt.
Keeton.	Veatch.
Kemble.	Waddell.
Kirby.	Walker.
Kirkland.	Wallace
Long.	of Freestone.
Loy.	Wallace of Panola.
McCombs.	Wassell.
McGill.	Webb.
Minor.	Wells.
Montgomery.	Williams
Morse.	of Sabine.
Moursund.	Williams
Murphy.	of Travis.
Nabors.	Woodall.
Olsen.	

Nays—26.

Albritton.	Forbes.
Bateman.	Gilbert.
Boggs.	Graves.
Cornwell.	Hornaday.
Cummings.	Kennedy.
DeBerry.	Kincaid.

King of	Rogers of Hays.
Throckmorton.	Sheats.
Loftin.	Smith of Nueces.
Masterson.	Snelgrove.
Nicholson.	Stell.
Pope.	Stout.
Porter.	Sutton.
Purl.	

Present—Not Voting.

Farrar.

Absent.

Anderson.	King of Hopkins.
Bird.	Land.
Bonham.	Powell.
Brown.	Rowell.
Cox.	Sanders.
Daniel.	Smith of Atascosa.
Dunlap.	Smyth.
Duvall.	Storey.
Faulk.	Swain.
Hall.	Teer.
Harding.	Turner.
Harman.	Ware.
Holland.	Whitaker.
Johnson.	Woodruff.
Justice.	Young.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

(Speaker in the chair.)

HOUSE BILL NO. 540 ON THIRD
READING.

On motion of Mr. Cummings, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 540, A bill to be entitled "An Act to establish and maintain a dairy, poultry, pecan, crops and other native products experiment station on the Miles, Roscoe and Abilene soil type in Taylor, Jones, Callahan or Shackelford county, Texas, within a radius of twenty miles of Abilene, Taylor county, Texas; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station and empowering said board to establish and maintain same; to accept donations of lands, water, livestock, seeds, plants and money for the establishment of said station; making an appropriation to pay the cost of establishing said station and for

the operation of same, and declaring an emergency."

The Speaker laid the bill before the House and it was read third time.

Mr. Veatch moved that further consideration of the bill be postponed indefinitely.

Mr. Cummings moved to table the motion to postpone.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—53.

Albritton.	Loftin.
Barnett.	McGill.
Barron.	Minor.
Bateman.	Montgomery.
Beck.	Morse.
Boggs.	Nicholson.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Poage.
Cummings.	Pool.
Daniel.	Pope.
DeBerry.	Purl.
Dunlap.	Ramsey.
Fuchs.	Rawlins.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Sanders.
Hagaman.	Shirley.
Hall.	Smith of Atascosa.
Hefley.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Sutton.
Johnson.	Swain.
Jones.	Webb.
King of	Whitaker.
Throckmorton.	Young.
Kirby.	

Nays—48.

Alexander.	McCombs.
Avis.	Moursund.
Black.	Murphy.
Bonham.	Nabors.
Enderby.	Olsen.
Eickenroht.	Pavlica.
Farrar.	Pearce.
Finlay.	Petsch.
Fly.	Rogers of Hays.
Forbes.	Shaver.
Gibson.	Simmons.
Harding.	Sinks.
High.	Snelgrove.
Justice.	Stell.
Keeton.	Stevenson.
Kemble.	Stout.
Kennedy.	Taylor.
Kincaid.	Tillotson.
Kirkland.	Van Zandt.
Land.	Veatch.
Long.	Waddell.
Loy.	Walker.

Wallace	Williams
of Freestone.	of Sabine.
Wallace of Panola.	Woodall.

Absent.

Acker.	Renfro of Mills.
Anderson.	Rogers of Shelby.
Bird.	Rowell.
Branch.	Satterwhite.
Brice.	Shearer.
Cox.	Sheats.
Davis.	Smyth.
Duvall.	Storey.
Faulk.	Teer.
Gates.	Turner.
Harman.	Ware.
Holder.	Wassell.
King of Hopkins.	Wells.
Masterson.	Williams
Porter.	of Travis.
Powell.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

House bill No. 540 then failed to pass by the following vote:

Yeas—53.

Barnett.	Loftin.
Barron.	McGill.
Bateman.	Minor.
Beck.	Montgomery.
Boggs.	Morse.
Bonham.	Nicholson.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Poage.
Cummings.	Pool.
Daniel.	Pope.
DeBerry.	Porter.
Dunlap.	Purl.
Gilbert.	Ramsey.
Graves.	Rawlins.
Gray.	Sanders.
Hagaman.	Shearer.
Harman.	Shirley.
Hogg.	Smith of Atascosa.
Holland.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Johnson.	Smith of Smith.
Jones.	Swain.
Keeton.	Webb.
King of	Williams
Throckmorton.	of Travis.
Kirby.	Young.

Nays—54.

Albritton.	Nabors.
Alexander.	Olsen.
Avis.	Pavlica.
Black.	Pearce.
Brice.	Petsch.
Davis.	Renfro of Mills.
Duvall.	Rogers of Hays.
Enderby.	Shaver.
Farrar.	Simmons.
Finlay.	Sinks.
Fly.	Snelgrove.
Forbes.	Stell.
Fuchs.	Stevenson.
Gates.	Stout.
Gibson.	Sutton.
Hall.	Taylor.
Harding.	Tillotson.
Hefley.	Van Zandt.
High.	Veatch.
Justice.	Waddell.
Kemble.	Walker.
Kennedy.	Wallace
Kincaid.	of Freestone.
Kirkland.	Wallace of Panola.
Land.	Wassell.
Long.	Williams
McCombs.	of Sabine.
Moursund.	Woodall.
Murphy.	

Absent.

Acker.	Rogers of Shelby.
Anderson.	Rowell.
Bird.	Satterwhite.
Branch.	Sheats.
Cox.	Smyth.
Eickenroht.	Storey.
Faulk.	Teer.
Holder.	Turner.
King of Hopkins.	Ware.
Loy.	Wells.
Masterson.	Whitaker.
Powell.	Woodruff.
Renfro	
of Angelina.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Mr. Veatch moved to reconsider the vote by which the bill failed to pass and to table the motion to reconsider. The motion to table was lost.

RESOLUTION ORDERED NOT PRINTED.

On motion of Mr. Fly, Senate joint

resolution No. 33 was ordered not printed.

Mr. McCombs moved that the call of the House be extended until 6 o'clock p. m. today.

Yeas and nays were demanded and the motion prevailed by the following vote:

Yeas—60.

Mr. Speaker.	Nicholson.
Avis.	Parish of Runnels.
Barron.	Pool.
Boggs.	Porter.
Branch.	Ramsey.
Brown.	Rogers of Hays.
Conway.	Rogers of Shelby.
Davis.	Shaver.
Farrar.	Shearer.
Fly.	Shirley.
Forbes.	Simmons.
Fuchs.	Sinks.
Graves.	Smith of Smith.
Gray.	Stell.
Hagaman.	Swain.
Harman.	Teer.
High.	Tillotson.
Holder.	Van Zandt.
Hornaday.	Veatch.
Keeton.	Waddell.
Kennedy.	Wallace
Loy.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Wells.
Montgomery.	Williams
Morse.	of Sabine.
Moursund.	Young.

Nays—47.

Albritton.	Loftin.
Alexander.	Long.
Beck.	Murphy.
Black.	Nabors.
Brice.	Olsen.
Cummings.	Parrish of Travis.
Dunlap.	Pavlica.
Duvall.	Pearce.
Enderby.	Poage.
Eickenroht.	Purl.
Faulk.	Renfro
Finlay.	of Angelina.
Gilbert.	Renfro of Mills.
Hall.	Sanders.
Harding.	Smith of Atascosa.
Hefley.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holland.	Stevenson.
Johnson.	Sutton.
Jones.	Taylor.
Justice.	Walker.
Kemble.	Wassell.
Kincaid.	Webb.
King of	Whitaker.
Throckmorton.	Williams
Kirby.	of Travis.
Kirkland.	Woodall.
Land.	

Present—Not Voting.

Cornwell.

Absent.

Acker.	Petsch.
Anderson.	Pope.
Barnett.	Powell.
Bateman.	Rawlins.
Bird.	Rowell.
Bonham.	Satterwhite.
Cox.	Sheats.
Daniel.	Smyth.
DeBerry.	Snelgrove.
Gates.	Storey.
Gibson.	Stout.
King of Hopkins.	Turner.
Masterson.	Ware.
Minor.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

SENATE BILL NO. 396 ON SECOND
READING.

On motion of Mr. Nabors, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 396, A bill to be entitled "An Act to amend Article 198, Title 8, Revised Civil Statutes of 1925."

The Speaker laid the bill before the House and it was read second time.

Mr. Petsch offered the following amendments to the bill:

Amend enrolled Senate bill No. 396 by striking the word "Freestone" out of the Third Supreme Judicial District and by inserting the word "Freestone" in the Tenth Supreme Judicial District, and by striking the words "Gillespie, Mason and Gonzales" out of the Third Supreme Judicial District, and the words "Calhoun, Refugio, San Patricio, Aransas and Nueces" out of the First Supreme Judicial District, and by inserting the counties of Gillespie, Mason, Gonzales, Calhoun, Refugio, San Patricio, Aransas and Nueces, in the Fourth Supreme Judicial District.

Signed—Moursund, Bonham, Runge, Smith of Nueces, Fly, Anderson, Wallace of Freestone, Petsch.

Amend Senate bill No. 396 by striking out "Van Zandt," in the Sixth District, and putting same in the Fifth District.

The amendments were severally adopted.

Mr. Parish of Runnels offered the following amendment to the bill:

Amend Senate bill No. 396 by taking counties of "Coke, Sterling, Irion and Schleicher" out of Eighth Supreme Judicial District and place said counties in Third Supreme Judicial District.

Signed—Parish of Runnels, Runge, Boggs.

The amendment was adopted.

Mr. Loftin offered the following amendment to the bill:

Amend Senate bill No. 396 by taking "Jack county" out of the Eleventh Supreme Judicial District and adding to the Second Supreme Judicial District.

The amendment was adopted.

Mr. Farrar offered the following amendment to the bill:

Amend Senate bill No. 396 by taking "Ellis county" out of the Tenth District and returning Ellis county to the Fifth District.

Signed—Farrar, Stout.

The amendment was adopted.

Mr. Barron offered the following amendment to the bill:

Amend Senate bill No. 396 by adding "Brazos, Leon, Madison and Robertson counties" to the Tenth Supreme Judicial District, and taking them out of the Third Supreme Judicial District; and by adding "Anderson county" and "Houston county" to the First Supreme Judicial District and taking them from the Third Supreme Judicial District.

The amendment was adopted.

Senate bill No. 396 was then passed to third reading.

SENATE BILL NO. 396 ON THIRD
READING.

Mr. Nabors moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 396 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Mr. Speaker.	Branch.
Alexander.	Brice.
Avis.	Brown.
Barnett.	Conway.
Barron.	Cornwell.
Bateman.	Cummings.
Beck.	Davis.
Black.	DeBerry.
Boggs.	Duvall.
Bonham.	Enderby.

Eickenroht.	Petsch
Farrar.	Poage.
Faulk.	Pool.
Finlay.	Pope.
Fly.	Porter.
Forbes.	Purl.
Fuchs.	Ramsey.
Gates.	Rawlins.
Gilbert.	Renfro
Graves.	of Angelina.
Hagaman.	Rogers of Hays.
Hall.	Rogers of Shelby.
Harding.	Sanders.
Harman.	Shearer.
Hefley.	Sheats.
High.	Shirley.
Hogg.	Simmons.
Holland.	Sinks.
Hornaday.	Smith of Atascosa.
Jones.	Smith of Nueces.
Justice.	Smith of Smith.
Keeton.	Snelgrove.
Kemble.	Stell.
Kennedy.	Stevenson.
Kincaid.	Sutton.
King of	Swain.
Throckmorton.	Taylor.
Kirby.	Teer.
Kirkland.	Tillotson.
Land.	Van Zandt.
Loftin.	Veatch.
Long.	Waddell.
Loy.	Walker.
McCombs.	Wallace
McGill.	of Freestone.
Montgomery.	Wallace of Panola.
Morse.	Wassell.
Moursund.	Webb.
Murphy.	Wells.
Nabors.	Williams
Nicholson.	of Sabine.
Parish of Runnels.	Williams
Parrish of Travis.	of Travis.
Pavlica.	Woodall.
Pearce.	Young.

Nays—2.

Albritton. Olsen.

Absent.

Acker.	Powell.
Anderson.	Renfro of Mills.
Bird.	Rowell.
Cox.	Satterwhite.
Daniel.	Shaver.
Dunlap.	Smith of El Paso.
Gibson.	Smyth.
Gray.	Storey.
Holder.	Stout.
Johnson.	Turner.
King of Hopkins.	Ware.
Masterson.	Whitaker.
Minor.	Woodruff.

Absent—Excused.

Bass. Boon.

Denman.	Lipscomb.
Dielmann.	McKean.
Foster.	Merritt.
Jacks.	Reagan.
Kayton.	Runge.
Kenyon.	Wallace of Smith.
Kinnear.	Williamson.

The Speaker then laid Senate bill No. 396 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Long.
Albritton.	Loy.
Alexander.	McCombs.
Avis.	McGill.
Barron.	Montgomery.
Bateman.	Morse.
Beck.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Boon.	Nicholson.
Branch.	Olsen.
Brown.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Pavlica.
Cummings.	Pearce.
Davis.	Petsch.
DeBerry.	Poage.
Duvall.	Pool.
Enderby.	Pope.
Eickenroht.	Ramsey.
Farrar.	Rawlins.
Faulk.	Renfro
Finlay.	of Angelina.
Fly.	Renfro of Mills.
Forbes.	Rogers of Hays.
Fuchs.	Rogers of Shelby.
Gates.	Sanders.
Gilbert.	Shearer.
Graves.	Shirley.
Gray.	Simmons.
Hagaman.	Sinks.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stell.
High.	Stevenson.
Hogg.	Swain.
Holder.	Taylor.
Holland.	Teer.
Hornaday.	Tillotson.
Johnson.	Van Zandt.
Jones.	Waddell.
Justice.	Walker.
Keeton.	Wallace
Kemble.	of Freestone.
Kennedy.	Wallace of Panola.
Kincaid.	Wassell.
King of	Webb.
Throckmorton.	Wells.
Kirby.	Williams
Kirkland.	of Sabine.

Williams
of Travis.

Woodall.
Young.

Present—Not Voting.

Brice.

Absent.

Acker.	Rowell.
Anderson.	Satterwhite.
Barnett.	Shaver.
Bird.	Sheats.
Cox.	Smith of Atascosa.
Daniel.	Smith of El Paso.
Dunlap.	Smyth.
Gibson.	Storey.
King of Hopkins.	Stout.
Land.	Sutton.
Loftin.	Turner.
Masterson.	Veatch.
Minor.	Ware.
Porter.	Whitaker.
Powell.	Woodruff.
Purl.	

Absent—Excused.

Bass.	Kinnear.
Bonham.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

SENATE BILL NO. 128 ON SECOND READING.

On motion of Mr. Pool, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 128, A bill to be entitled "An Act to provide for co-operation between the State of Texas and the United States Department of Agriculture in the destruction of predatory animals—coyotes, wolves, mountain lions, bobcats and other predatory animals, and rodent pests, i. e., prairie dogs, jack rabbits, pocket gophers and ground squirrels; appropriating funds for such purposes, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 128 ON THIRD READING.

Mr. Pool moved that the constitutional rule requiring bills to be read on three several days be suspended and that Sen-

ate bill No. 128 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	McCombs.
Alexander.	McGill.
Avis.	Montgomery.
Barnett.	Morse.
Barron.	Moursund.
Bateman.	Murphy.
Beck.	Nabors.
Black.	Nicholson.
Boggs.	Parish of Runnels.
Boon.	Parrish of Travis.
Branch.	Pearce.
Brice.	Petsch.
Brown.	Poage.
Conway.	Pool.
Cornwell.	Pope.
Cummings.	Purl.
Davis.	Ramsey.
DeBerry.	Rawlins.
Dunlap.	Renfro
Duvall.	of Angelina.
Enderby.	Renfro of Mills.
Eickenroht.	Rogers of Hays.
Farrar.	Rogers of Shelby.
Faulk.	Sanders.
Finlay.	Shaver.
Fly.	Shearer.
Forbes.	Shirley.
Fuchs.	Simmons.
Gibson.	Sinks.
Gilbert.	Smith of Atascosa.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Snelgrove.
Harding.	Stell.
Harman.	Stevenson.
Hefley.	Sutton.
High.	Swain.
Hogg.	Teer.
Holder.	Van Zandt.
Holland.	Wallace
Hornaday.	of Freestone.
Johnson.	Wallace of Panola.
Jones.	Wassell.
Justice.	Webb.
Keeton.	Wells.
Kemble.	Whitaker.
Kennedy.	Williams
Kincaid.	of Sabine.
Kirby.	Williams
Land.	of Travis.
Loftin.	Woodall.
Long.	Young.
Loy.	

Nays—7.

Albritton.	Olsen.
King of	Pavlica.
Throckmorton.	Stout.
Kirkland.	Walker.

Absent.

Acker.	Satterwhite.
Anderson.	Sheats.
Bird.	Smyth.
Cox.	Storey.
Daniel.	Taylor.
Gates.	Tillotson.
King of Hopkins.	Turner.
Masterson.	Veatch.
Minor.	Waddell.
Porter.	Ware.
Powell.	Woodruff.
Rowell.	

Absent—Excused.

Bass.	Kinnear.
Bonham.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

The Speaker then laid Senate bill No. 128 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Harding.
Albritton.	Harman.
Alexander.	Hefley.
Avis.	Hogg.
Barnett.	Holder.
Barron.	Holland.
Bateman.	Hornaday.
Beck.	Johnson.
Black.	Jones.
Boggs.	Justice.
Bonham.	Keeton.
Branch.	Kemble.
Brown.	Kincaid.
Conway.	King of
Cornwell.	Throckmorton.
Cummings.	Kirby.
Davis.	Land.
DeBerry.	Loftin.
Duvall.	Long.
Enderby.	Loy.
Eickenroht.	McCombs.
Faulk.	McGill.
Finlay.	Montgomery.
Fly.	Morse.
Forbes.	Moursund.
Fuchs.	Murphy.
Gates.	Nabors.
Gibson.	Olsen.
Gilbert.	Parish of Runnels.
Graves.	Parrish of Travis.
Hagaman.	Pavlica.
Hall.	Pearce.

Poage.	Stell.
Pool.	Stevenson.
Pope.	Storey.
Purl.	Sutton.
Ramsey.	Swain.
Rawlins.	Teer.
Renfro.	Tillotson.
of Angelina.	Van Zandt.
Renfro of Mills.	Waddell.
Rogers of Hays.	Wallace
Rogers of Shelby.	of Freestone.
Sanders.	Wallace of Panola.
Shaver.	Wassell.
Shearer.	Webb.
Shirley.	Wells.
Simmons.	Whitaker.
Sinks.	Williams
Smith of Atascosa.	of Sabine.
Smith of El Paso.	Williams
Smith of Nueces.	of Travis.
Smith of Smith.	Woodall.
Snelgrove.	Young.

Nays—4.

High.	Stout.
Kirkland.	Walker.

Present—Not Voting.

Brice.

Absent.

Acker.	Petsch.
Anderson.	Porter.
Bird.	Powell.
Cox.	Rowell.
Daniel.	Satterwhite.
Dunlap.	Sheats.
Farrar.	Smyth.
Gray.	Taylor.
Kennedy.	Turner.
King of Hopkins.	Veatch.
Masterson.	Ware.
Minor.	Woodruff.
Nicholson.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

RELATING TO SUSPENSION OF CERTAIN HOUSE RULES.

Mr. Tillotson offered the following resolution:

Resolved, That the suspension until 6 o'clock p. m. Monday, March 14, of the rule prohibiting either House or

Senate bills being taken up on second reading within seventy-two (72) hours prior to the hour of adjournment be extended until 11:45 p. m. of Monday, March 14th, and said rule is hereby suspended until the said hour of 11:45 p. m. of Monday, March 14th.

The resolution was read second time and was referred by the Speaker to the Committee on Rules.

SENATE BILL NO. 383 ON SECOND READING.

On motion of Mr. Murphy, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 383, A bill to be entitled "An Act to amend Article 15 of the Code of Criminal Procedure, Revised Criminal Statutes of Texas, so as to provide for the payment of twenty dollars per day for each day district attorneys in certain districts attend any session of any of the district courts in their respective districts, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 383 ON THIRD READING.

Mr. Murphy moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 383 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—90.

Mr. Speaker.	Gibson.
Avis.	Gilbert.
Barnett.	Graves.
Barron.	Gray.
Bateman.	Hagaman.
Beck.	Harding.
Boggs.	Harman.
Bonham.	Hefley.
Branch.	High.
Brice.	Hogg.
Brown.	Holder.
Conway.	Holland.
Cummings.	Hornaday.
DeBerry.	Jones.
Duvall.	Justice.
Enderby.	Keeton.
Eickenroht.	Kirby.
Faulk.	Land.
Fly.	Loftin.
Forbes.	Long.
Fuchs.	Loy.

McCombs.	Smith of El Paso.
McGill.	Smith of Nueces.
Montgomery.	Smith of Smith.
Morse.	Snelgrove.
Murphy.	Stevenson.
Nabors.	Stout.
Nicholson.	Sutton.
Parrish of Travis.	Swain.
Pearce.	Teer.
Petsch.	Tillotson.
Porter.	Van Zandt.
Purl.	Waddell.
Ramsey.	Wallace
Rawlins.	of Freestone.
Renfro	Wallace of Panola.
of Angelina.	Wassell.
Renfro of Mills.	Webb.
Rogers of Hays.	Wells.
Rogers of Shelby.	Whitaker.
Sanders.	Williams
Shaver.	of Sabine.
Shearer.	Williams
Shirley.	of Travis.
Simmons.	Woodall.
Sinks.	Young.
Smith of Atascosa.	

Nays—19.

Albritton.	King of
Alexander.	Throckmorton.
Black.	Kirkland.
Cornwell.	Olsen.
Davis.	Parish of Runnels.
Finlay.	Pavlica.
Hall.	Poage.
Kemble.	Pope.
Kennedy.	Stell.
Kincaid.	Walker.

Present—Not Voting.

Farrar.

Absent.

Acker.	Pool.
Anderson.	Powell.
Bird.	Rowell.
Cox.	Satterwhite.
Daniel.	Sheats.
Dunlap.	Smyth.
Gates.	Storey.
Johnson.	Taylor.
King of Hopkins.	Turner.
Masterson.	Veatch.
Minor.	Ware.
Moursund.	Woodruff.

Absent—Excused.

Bass.	Kenyon.
Boon.	Kinnear.
Denman.	Lipscomb.
Dielmann.	McKean.
Foster.	Merritt.
Jacks.	Reagan.
Kayton.	Runge.

Wallace of Smith. Williamson.

The Speaker then laid Senate bill No. 383 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—82.

Mr. Speaker.	Nabors.
Avis.	Nicholson.
Barron.	Parrish of Travis.
Bateman.	Pearce.
Beck.	Petsch.
Boggs.	Porter.
Bonham.	Purl.
Branch.	Ramsey.
Brown.	Rawlins.
Conway.	Renfro
Cummings.	of Angelina.
DeBerry.	Renfro of Mills.
Duvall.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Sanders.
Faulk.	Shaver.
Fly.	Shearer.
Forbes.	Shirley.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of Atascosa.
Hagaman.	Smith of El Paso.
Harding.	Smith of Nueces.
Harman.	Smith of Smith.
Hefley.	Snelgrove.
Hogg.	Stevenson.
Holder.	Stout.
Holland.	Sutton.
Hornaday.	Swain.
Jones.	Teer.
Justice.	Tillotson.
Kemble.	Van Zandt.
Kirby.	Waddell.
Land.	Wallace of Panola.
Loftin.	Wassell.
Long.	Webb.
Loy.	Whitaker.
McCombs.	Williams of Sabine.
McGill.	Williams of Travis.
Montgomery.	Woodall.
Morse.	Young.
Murphy.	

Nays—22.

Albritton.	Kennedy.
Alexander.	Kincaid.
Barnett.	King of
Black.	Throckmorton.
Cornwell.	Kirkland.
Davis.	Olsen.
Farrar.	Parish of Runnels.
Finlay.	Pavlica.
Fuchs.	Pope.
Gray.	Stell.
Hall.	Walker.
High.	

Present—Not Voting.

Brice.	Moursund.
Keeton.	
	Absent.
Acker.	Rowell.
Anderson.	Satterwhite.
Bird.	Shears.
Cox.	Smyth.
Daniel.	Storey.
Dunlap.	Taylor.
Gates.	Turner.
Johnson.	Veatch.
King of Hopkins.	Wallace
Masterson.	of Freestone.
Minor.	Ware.
Poage.	Wells.
Pool.	Woodruff.
Powell.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

TO SUSPEND CERTAIN HOUSE RULE.

The Speaker laid before the House for consideration at this time the resolution heretofore offered by Mr. Tillotson, relating to suspending certain House rule, the resolution having been read second time and referred to the Committee on Rules.

Question recurring on the resolution, it was adopted.

SENATE BILL NO. 269 ON SECOND READING.

On motion of Mr. Montgomery, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 269, A bill to be entitled "An Act to amend Article 4619 of the Revised Civil Statutes of the State of Texas, 1925, relating to community property, and the disposition thereof, so as to provide for the control, management and disposition of community property by the wife, when the husband has disappeared and his whereabouts is unknown to the wife for more than six months, and validating conveyances and other transactions of the wife concerning community property heretofore made

under such circumstances, and providing the method and procedure for making proof of the existence of the facts necessary to give her such right of control, management and disposition, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Montgomery offered the following amendment to the bill:

Amend Senate bill No. 269 by striking out all above and below the enacting clause and insert the following:

A bill to be entitled, "An Act to amend Article 4619 of the Revised Civil Statutes of the State of Texas, 1925, relating to community property and the disposition thereof, so as to provide for the control, management and disposition of community property by the wife, when the husband has disappeared and his whereabouts is unknown to the wife for more than six months, and providing the method and procedure for making proof of the existence of the facts necessary to give her the right of control, management and disposition, and declaring an emergency."

That Article 4619, Chapter 3, of Title 75, of the Revised Civil Statutes of the State of Texas, 1925, shall be and the same is hereby amended so as to hereafter read as follows:

Section 1. All property acquired by either the husband or wife during marriage, except that which is the separate property of either, shall be deemed the common property of the husband and wife, and all the effects which the husband and wife possess at the time the marriage may be dissolved shall be regarded as common effects or gains, unless the contrary be satisfactorily proved. During coverture the common property of the husband and wife may be disposed of by the husband only; provided, however, if the husband shall have disappeared and his whereabouts shall have been and remain unknown to the wife continuously for more than twelve months, the wife shall, after such twelve month period and until the husband returns to her and the affidavit hereinafter provided for is made and filed for record, have full control, management and disposition of the community property, and shall have the same powers with reference thereto as are conferred by law upon the husband, and her acts shall be as those of a feme sole.

Sec. 2. If the wife shall hereafter desire to exercise any of the powers herein

conferred upon her, she shall file a petition in writing under oath in the district court of the county in which the husband resided at the time of his disappearance, if he then resided in this State, or in the district court of the county in which the wife resided, if the husband was a non-resident of this State at the time of such disappearance, or of any county in which the community property or part thereof is situated, in which petition the wife shall set forth the facts entitling her to control, manage and dispose of the community property under the provisions of this article.

Sec. 3. After the filing of said petition the judge of said court shall set the same down for hearing, either in term time or vacation.

Sec. 4. Notice of the filing of said petition and the date set for the hearing thereon shall be issued by the clerk of the court in which the petition is filed and the same shall be published in some newspaper of general circulation, published in the county in which the petition is filed, if there be a newspaper published in said county but if not then in the nearest county where a newspaper of general circulation is published, once in each week for two consecutive weeks previous to the date set for said hearing, the first of which publications shall be not less than ten days prior to such date set for such hearing.

Sec. 5. If, upon the hearing of said petition, the judge shall be satisfied that the facts alleged therein are true, and that facts exist which entitle the wife to control, manage and dispose of the community property, under the provisions of Section 1 of this act, he shall make his order finding and setting out such facts, and thereafter the wife shall have the same powers over the community property as are conferred by law upon the husband, until the husband shall have returned to the wife, and until either the husband or wife shall make and file for record in the office of the county clerk of the county in which said petition was filed, his or her affidavit stating the fact of such return. Said affidavit shall be recorded in the deed records of said county and may be recorded in the deed records of other counties in which the property of said community estate may be situated.

Sec. 6. If any provision or provisions of this act be held invalid such holding shall not affect the validity of any other provision hereof.

Sec. 7. The fact that there is now no adequate provision for the management and disposition of community property during the disappearance of the husband, frequently working an intolerable hardship on the wife and depriving her of the fruits and benefits of community property, and resulting in the dissipation and sacrifice of the community estate through the accumulation of taxes and other expenses, and foreclosures, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three separate days in each House be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

Senate bill No. 269 was then passed to third reading.

SENATE BILL NO. 269 ON THIRD READING.

Mr. Montgomery moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 269 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	High.
Alexander.	Hogg.
Avis.	Holder.
Barnett.	Holland.
Barron.	Hornaday.
Bateman.	Jones.
Beck.	Keeton.
Bonham.	Kemble.
Branch.	Kirby.
Brice.	Loy.
Conway.	Masterson.
Cornwell.	McCombs.
Davis.	McGill.
DeBerry.	Morse.
Duvall.	Moursund.
Enderby.	Murphy.
Eickenroht.	Nicholson.
Farrar.	Parrish of Travis.
Faulk.	Pearce.
Finlay.	Petsch.
Fly.	Pope.
Forbes.	Porter.
Fuchs.	Ramsey.
Gates.	Renfro
Gibson.	of Angelina.
Gilbert.	Renfro of Mills.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Harding.	Sanders.
Harman.	Shearer.
Hesley.	Shirley.

Simmons.	Walker.
Smith of El Paso.	Wallace of Panola.
Smith of Nueces.	Wassell.
Smith of Smith.	Webb.
Smyth.	Wells.
Snelgrove.	Whitaker.
Stell.	Williams
Stevenson.	of Sabine.
Swain.	Williams
Taylor.	of Travis.
Van Zandt.	Woodall.
Veatch.	Young.
Waddell.	

Nays—15.

Albritton.	Kirkland.
Black.	Land.
Boggs.	Loftin.
Hall.	Long.
Justice.	Olsen.
Kennedy.	Parish of Runnels.
King of	Pavlica.
Throckmorton.	Stout.

Absent.

Acker.	Nabors.
Anderson.	Poage.
Bass.	Pool.
Bird.	Powell.
Boon.	Purl.
Brown.	Rawlins.
Cox.	Reagan.
Cummings.	Rowell.
Daniel.	Runge.
Denman.	Satterwhite.
Dielmann.	Shaver.
Dunlap.	Sheats.
Foster.	Sinks.
Graves.	Smith of Atascosa.
Jacks.	Storey.
Johnson.	Sutton.
Kayton.	Teer.
Kenyon.	Tillotson.
Kincaid.	Turner.
Kinnear.	Wallace
King of Hopkins.	of Freestone.
Lipscomb.	Wallace of Smith.
McKean.	Ware.
Merritt.	Williamson.
Minor.	Woodruff.
Montgomery.	

The Speaker then laid Senate bill No. 269 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speaker.	Beck.
Alexander.	Black.
Avis.	Boggs.
Barnett.	Bonham.
Barron.	Branch.

Brown.	Parrish of Travis.
Conway.	Pearce.
Cornwell.	Petsch.
Cummings.	Pope.
Davis.	Porter.
DeBerry.	Purl.
Dunlap.	Ramsey.
Duvall.	Renfro
Enderby.	of Angelina.
Farrar.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Gray.	Shirley.
Hagaman.	Simmons.
Harding.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Stell.
Hogg.	Stevenson.
Hornaday.	Stout.
Johnson.	Sutton.
Jones.	Taylor.
Keeton.	Tillotson.
Kennedy.	Van Zandt.
Loftin.	Veatch.
Long.	Waddell.
Loy.	Wallace
Masterson.	of Freestone.
McCombs.	Wallace of Panola.
McGill.	Whitaker.
Morse.	Williams
Moursund.	of Sabine.
Murphy.	Williams
Nabors.	of Travis.
Nicholson.	Young.

Nays—12.

Bateman.	Land.
Finlay.	Olsen.
Hall.	Parish of Runnels.
Kincaid.	Pavlica.
King of	Walker.
Throckmorton.	Wassell.
Kirkland.	

Present—Not Voting.

Brice.

Absent.

Acker.	Justice.
Albritton.	Kemble.
Anderson.	Kenyon.
Bass.	King of Hopkins.
Bird.	Kirby.
Cox.	Minor.
Daniel.	Montgomery.
Eickenroht.	Poage.
Faulk.	Pool.
Gates.	Powell.
Graves.	Rawlins.
Harman.	Renfro of Mills.
Holder.	Rowell.
Holland.	Sheats.

Sinks.	Teer.
Smith of Atascosa.	Turner.
Smith of El Paso.	Ware.
Smyth.	Webb.
Snelgrove.	Wells.
Storey.	Woodall.
Swain.	Woodruff.

Absent—Excused.

Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kinnear.	Williamson.

HOUSE BILL NO. 432 ON SECOND READING.

On motion of Mr. Rawlins, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 432, A bill to be entitled "An Act providing that any existing domestic assessment company or association or fraternal beneficiary society may be transformed and re-incorporated as a legal reserve or level stock premium company, and providing method of procedure and conditions of such re-incorporation, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Rawlins offered the following (committee) amendment to the bill:

Amend House bill No. 432 by striking out all above and below the enacting clause and insert in lieu thereof the following:

A bill to be entitled "An Act relating to fraternal beneficiary societies, and providing a method whereby, and the terms whereon, such societies may be transformed and re-incorporated as legal reserve level premium capital stock or mutual life insurance; repealing conflicting statutes, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Any existing fraternal beneficiary society may amend its articles of incorporation and by-laws in such a manner as to transform itself into a legal reserve level premium company doing business either as a mutual or stock company, but only after complying with the following provisions:

Whenever any such society shall propose to transform itself into a legal reserve level premium company as herein provided, it shall file with the Commis-

sioner of Insurance, its proposed articles and by-laws, its plan of transformation setting forth in detail the terms and conditions of said transformation and also the method by which it proposes to protect the interests of its membership. The plan of transformation shall indicate clearly the nature and amount of the adjustment that will be in the rates charged by such societies, and the adjustment that will be in the rates charged by such societies, and the adjustment that will be made in reserves and values of the policies of such societies, together with the character and the amount of lien upon policies that may be necessary in making the adjustment and transformation in order to comply with the laws relative to legal reserve premium companies. The Commissioner may proceed to hear and determine such petition without notice, or, if he deems it necessary that such notice should be given in order to conserve the interests of the membership, he shall require the society to first notify, by mail, all of the members of such society of the pendency of such petition, the contents of such notice to be determined by the Commissioner. When notice shall have been given, as above provided, any member of said society shall have the right to appear before said Commissioner and be heard with reference to said petition. The Commissioner may also make such examination into the affairs and conditions of the society as he deems proper, and shall have power to summon and compel the attendance and testimony of witnesses, and the production of books and papers, and may administer oaths. If satisfied that the interests of the membership of said society are properly protected and that no reasonable objection to said petition exists, the Commissioner may authorize in writing, such transformation, or may first require such modification thereof as may seem to him necessary for the best interest of such membership; and the said Commissioner shall make such order and disposition of the assets of any such society as in his judgment may be just and equitable.

Sec. 2. The Commissioner shall require the plan of transformation to be submitted to the supreme governing body of such society, to be voted upon. When submitted, it shall be either at a regular meeting of said supreme governing body or at a special meeting of same called for that purpose. A notice of said special meeting, in the form approved by the Insurance Commissioner, shall be given in accordance with the require-

ment of the by-laws of such society. When so submitted, a majority vote of the said supreme governing body present and voting, as authorized by its articles of incorporation and by-laws, shall be necessary to an approval of such plan of transformation; and no proxies shall in any case be voted.

If the supreme governing body approves the plan of transformation, the board of directors or other managing body of such society shall submit the plan to a referendum vote of the members of such society under such regulations as may be prescribed by the Commissioner of Insurance and if the result of such vote shall show that the majority of the members of such society has voted to repeal the action of the supreme governing body, then the same shall be considered as repealed by such society and shall be null and of no effect. Any such plan of transformation submitted to the supreme governing body as herein contemplated, must first have been approved by the Commissioner of Insurance; and the result of said vote must be filed with such Commissioner and be by him determined before any transformation shall be so effective. No such transformation shall take place until after its plan has been approved by the Commissioner, either with or without a hearing as herein provided, nor until such approved plan has been adopted by a majority vote of the board of directors or board of trustees of such society; nor, if submitted to the supreme governing body, until such approved plan has also been adopted by a majority vote of the said supreme governing body present and voting, nor until it is adopted by an affirmative vote by a majority of the members of the society at the referendum required herein.

Sec. 3. Any such society so transformed, shall incur the obligations and enjoy the benefits thereof the same as though originally thus incorporated, and such corporation, under its charter as thus amended, shall be continuation of such original corporation, and the officers thereof shall serve through their respective terms as provided in the original charter, but their successors shall be elected and serve as in such amended articles provided; but such amendment or re-incorporation shall not affect existing suits, claims or contracts.

Sec. 4. If any such fraternal society shall convert or transform itself into a mutual level premium legal reserve company, its business shall thereafter be operated and conducted, and it shall be in all things governed by the provisions

of Chapter 7, Title 78, Revised Statutes of 1925 and amendments thereto, which may have been heretofore or which may be hereafter passed. If any such fraternal society shall convert or transform itself into a capital stock company, it shall thereafter be operated and conducted and its business shall be carried on in accordance with the provisions of Chapter 3, Title 78, Revised Statutes of 1925, together with such other provisions in the Statutes now affecting such legal reserve level premium capital stock companies together with such amendments as may have heretofore been or may hereafter be passed to such laws.

Sec. 5. Any such fraternal beneficiary society, which shall under the provisions hereof transform itself into a capital stock company, must offer to each member of the society an equal privilege of subscribing for and purchasing his or her proportionate amount of the capital stock, which offer shall be made in a form and manner to be prescribed or approved by the Commissioner of Insurance.

Sec. 6. The existing certificates of membership of any fraternal beneficiary society which shall have transformed itself into a legal reserve level premium life insurance company, in conformity with the provisions of this section shall be valued as follows:

(a) Certificates on which rates of contribution are not on the basis of any table of mortality, valued as year renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of this State.

(b) Certificates on which the rates of contribution are based upon a standard table of mortality and specified rate of interest, valued in accordance with such standard.

The reserve so ascertained shall be held as a liability by the company in its annual statement rendered to the insurance department, but provision must be made in the plan of transformation to adjust such values or reserves to the minimum required by tables of mortality specified in the laws heretofore referred to, by such method and in such manner as may be required by the Commissioner.

Sec. 7. The importance of this legislation and the near approach of the end of the session and the crowded condition of the calendar, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and said rule is

hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Bonham moved a call of the House for the purpose of maintaining a quorum until 11:30 o'clock p. m., and the motion prevailed.

The Speaker directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Rawlins offered the following amendment to the amendment:

Amend committee substitute to House bill No. 432 by striking out "Section 2" and insert in lieu thereof the following:

"Section 2. The commissioner shall require the plan of transformation to be submitted to the supreme governing body of such society, to be voted upon. When submitted, it shall be either at a regular meeting of said supreme governing body or at a special meeting of same called for that purpose. A notice of said special meeting, in the form approved by the Insurance Commissioner, shall be given in accordance with the requirement of the by-laws of such society. When so submitted, a majority vote of the said supreme governing body, as authorized by its articles of incorporation and by-laws, shall be necessary to an approval of such plan of transformation; and no proxies shall in any case be voted.

"If the supreme governing body approves the plan of transformation, the board of directors or other managing body of such society, shall submit the plan to a referendum vote of the members of such society under such regulations as may be prescribed by the Commissioner of Insurance, and if the result of such vote shall show that a majority of the members of such society has voted to repeal the action of the supreme governing body, then the same shall be considered as repealed by such society and shall be null and void and of no effect. Any such plan of transformation submitted to the supreme governing body, as herein contemplated, must first have been approved by the Commissioner of Insurance and the result of said vote must be filed with such Commissioner and be by him determined before any transformation shall be so effective. No such transformation shall take place until after its plan has been approved by the Commissioner, either with or without a hearing as herein provided, nor until such approved plan

has been adopted by a majority vote of the supreme governing body of such society; nor until it is adopted by an affirmative vote by a majority of the members of the society at the referendum required herein."

The amendment was adopted.

Mr. Rawlins offered the following amendment to the amendment:

Amend committee substitute to House bill No. 432 by striking out the word "make," on page 2, line 23, and insert in lieu thereof the word "approve."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

House bill No. 432 was then passed to engrossment.

On motion of Mr. Petsch, the Sergeant-at-Arms was instructed to bring in all absent members in the city of Austin who are not ill.

SENATE BILL NO. 304 ON SECOND READING.

On motion of Mr. Holland, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 304, A bill to be entitled "An Act relative to incorporating circuses for the purpose of selling animals, etc."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

H. B. No. 452, A bill to be entitled "An Act to amend Chapter 93 of the Acts of the Thirty-fifth Legislature as amended and approved by the Governor March 18, 1918, and being 'An Act restoring jurisdiction on the county court of El Paso county, and making same concurrent with the county court at law of El Paso county'; prescribing and fixing jurisdiction of the county court of El Paso county, Texas; prescribing and fixing the jurisdiction of the county court at law of El Paso county, Texas; fixing the salary of the judges of the El Paso county court of El Paso county and of the El Paso county court at law; providing for the election of the judge

of the El Paso county court at law; providing for the appointment of special judges; fixing and prescribing the jurisdiction of the county court of El Paso county, Texas, and investing the county court at law of El Paso county, Texas, with all jurisdiction of civil and criminal cases, original and appellate, over which, by the general laws of the State of Texas the county court has jurisdiction; providing for the appointment of an official shorthand reporter of the El Paso county court at law, and providing for the compensation thereof, and fixing the salary of the judge of the county court of El Paso county; providing and authorizing the appointment of an official shorthand reporter for the county court of El Paso county, Texas, and fixing the compensation thereof, and authorizing the county judge of El Paso county, Texas, to appoint such official shorthand reporter, and declaring an emergency."

H. B. No. 638, A bill to be entitled "An Act to authorize the transfer of civil cases in Lamar county from the docket of the Sixth Judicial District to the docket of the Sixty-second Judicial District and from the Sixty-second Judicial District to the Sixth Judicial District at the close of each term, during term time or in vacation, and declaring an emergency."

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 5, Title 85 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, by adding a new article thereto, following Article 5400, to be known as Article 5400A, authorizing the locator or owner of a mine or mining claim to connect the same by an aerial tramway with the nearest smelter or nearest line of railroad, and to purchase or condemn a right of way therefor upon certain conditions, and declaring an emergency."

H. B. No. 630, A bill to be entitled "An Act creating the county court at law of Hidalgo county, Texas; fixing and defining the jurisdiction and terms thereof; prescribing the qualifications, manner of appointment and election, term of office, compensation and powers of the regular or special judge thereof; providing for the filling of vacancies of the office of judge thereof and for a clerk and bailiff and seal therefor; defining the powers of such clerk and bailiff and the effect of such seal; fixing the fees of the clerk thereof and of officers executing processes issued therefrom;

declaring that the jurisdiction of the county court of Hidalgo county shall not be hereby effected; providing for transfer of cases between the said county court; declaring the validity in transferred cases of processes extant at the time of such transfer; prescribing the practice in said court, and declaring an emergency."

H. B. No. 228, A bill to be entitled "An Act to amend Article 5125 of the Revised Civil Statutes of Texas for 1925, so that all male persons, regardless of color, under the age of seventeen (17) years who shall be lawfully committed to the State Juvenile Training School as a delinquent child shall be received as inmates of said training school, and declaring an emergency."

H. B. No. 480, A bill to be entitled "An Act to amend Article 952, Revised Criminal Statutes of 1925, so as to provide better protection for fish and marine life in the counties of Comal, Guadalupe, Bexar, Kerr, Bandera and Real, and by adding Medina county to the above mentioned counties; repealing Article 953, Revised Criminal Statutes of 1925, and declaring an emergency," with amendment.

H. B. No. 498, A bill to be entitled "An Act repealing Chapter 9 of the Local and Special Laws of the State of Texas, passed by the Thirty-seventh Legislature at its Regular Session in 1921, relating to the road system of Coryell county."

H. B. No. 586, A bill to be entitled "An Act providing for the withholding from allotment to the public free school fund and sale of such land as may be gained or added to the State of Texas north of the South Fork of Red River as a result of the final determination of the suit of the State of Oklahoma, complainant, against the State of Texas, defendant; the United States of America, intervener, now pending in the Supreme Court of the United States in which a decree was entered January 3, 1927, ordering the establishment of the one hundredth meridian until such time after the entry of the final boundary decree as the Legislature may consider and provide for final disposition of such additional land as may be decreed to be within the State of Texas, and declaring an emergency."

H. B. No. 593, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Wilson county, who are between the ages of twenty-one

and forty-five years; providing the manner of assessment and collection of said tax and further providing for a penalty for failure or refusal to pay such tax; repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 433, A bill to be entitled "An Act appropriating the sum of \$36,000, or as much thereof as may be necessary, for the compensation and expenses of the commissioner appointed by the Supreme Court of the United States under decree of January 3, 1927, in Cause No. 6, Original, October Term, 1926, styled the State of Oklahoma, Complainant, vs. the State of Texas, Defendant, the United State of America, Intervener, to run the boundary line between the State of Texas and the State of Oklahoma, and declaring an emergency."

H. B. No. 365, A bill to be entitled "An Act to amend Article 4192, of the Revised Civil Statutes of 1925, providing for the making of oil and gas and other mineral leases by guardians of the estates of minors, and other persons, upon the real estate belonging to the estates of their wards, and declaring an emergency."

H. B. No. 644, A bill to be entitled "An Act to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes, heretofore made by the governing body of the town of Pleasanton in Atascosa county, Texas, which are unenforceable because same were made or adopted by resolution, motion or other informal action of order instead of by ordinance, and of all assessments of taxes or assessments of property within the limits of said town for taxation which are insufficient because of technical irregularities in the manner of preparing the books and reports thereof, and of all equalizations of such property for taxation purposes by boards of equalization acting for said town or its council which are insufficient because such equalization or reports thereof were made orally or in incomplete form, and declaring an emergency."

H. B. No. 522, A bill to be entitled "An Act repealing the Special Act of the Thirty-eighth Legislature of the State of Texas, known as Chapter 7, House bill No. 105, creating and incorporating Webster Independent School District in Harris county, Texas, out of the territory composing Common School Districts Nos. 19 and 13, of said county; providing that the title of the school property vested in said Common

School Districts Nos. 19 and 13, shall vest in said Webster Independent School District, and that said independent school district assume debts of said Common School Districts Nos. 19 and 13; providing for the board of trustees of said Webster Independent School District; providing for the time and manner of their election; defining their power and duties, and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act amending Article 879 of Chapter 6, of Title 13, of the Revised Criminal Statutes of Texas of 1925, which article provides for the regulation of the seasons in which wild game may be hunted and killed, and the seasons in which it is lawful to hunt and kill such wild game, including doves, quail, pheasant, turkey, rail, plover, ducks, prairie chickens, deer, bear and fox; and which amendment provides for seasons in which it shall be lawful to hunt and kill the wild game named, and in which the season for hunting and killing such wild game shall be closed; and providing for the addition at the end of said article to the proviso that there shall be no closed season for the hunting and killing of squirrels and that it shall be lawful to hunt and kill the wild red or fox squirrels and the wild gray squirrels in the counties of Gonzales, Austin and Real," with amendment.

H. B. No. 470, A bill to be entitled "An Act amending Article 2686 of the Revised Civil Statutes of Texas by providing that from the decision of the county superintendent of public instruction shall lie to the county school trustees, and from the county school trustees, to the court having proper jurisdiction of the subject matter, where a trial de novo shall be had; all laws and parts of laws in conflict herewith are hereby repealed."

H. B. No. 609, A bill to be entitled "An Act to authorize the State Highway Commission to employ a chief auditor of accounts and expenditures, three engineer accountants or inspectors, and two equipment inspectors, fix their compensation, etc."

H. B. No. 223, A bill to be entitled "An Act to amend Article 4351, Revised Civil Statutes, 1925, by adding thereto Article 4351a, limiting the amount of deficiency warrants the Governor may approve; declaring all warrants in violation hereof invalid and unredeemable, and declaring an emergency."

H. B. No. 411, A bill to be entitled

"An Act to create a more efficient road system for San Saba county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts and prescribing their duties as such; and providing for the compensation of road commissioners; defining the duties of the commissioners court with reference to the roads and bridges; providing for the appointment of overseers and defining their duties, and providing for compensation for certain labors; providing penalties for violation of the provisions of this act; giving persons subject to road duty in San Saba county and persons summoned to work on the public roads of said county, the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated; and providing for the accounting for and the disposition to be made of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing and providing for the working of county convicts upon the public roads, and providing for the payment of officers' fees; providing that delinquent poll tax payers shall be subject to three days' duty; requiring the tax collector of San Saba county to furnish to the commissioners court a list of all persons who fail to pay their poll tax; providing for the condemnation of any land needed for the widening of public roads; providing for the taking of timber, gravel, earth, stone or other material for the making or improving of public roads and bridges; requiring certain road and bridge work to be done by contract; authorizing and empowering the said San Saba county to issue bonds for the construction and maintenance of public roads and bridges within said county, and provide for a tax to create a sinking fund to pay the same; providing that this act shall control in San Saba county in all cases wherein it differs from or is inconsistent and conflicts with the general law on the subject of roads and bridges, and declaring an emergency."

Has passed

H. C. R. No. 35, Providing for bound copies of session acts to be provided for library.

The Senate has adopted free conference committee report on House bill No. 50 by vote of 18 yeas, 8 nays.

The Senate has agreed to concur in House amendments to Senate bill No. 271 and also Senate bill No. 380.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

SENATE BILL NO. 193 ON SECOND
READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 193, A bill to be entitled "An Act providing for the payment of an annual salary of \$500 per annum to county attorneys in those counties in Texas wherein there is no district attorney, and declaring an emergency."

The bill was read second time and was passed to third reading.

MOTION TO TAKE UP SENATE BILL
NO. 193.

Mr. Teer moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 193 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—82.

Mr. Speaker.	Nabors.
Barron.	Nicholson.
Bateman.	Parish of Runnels.
Beck.	Petsch.
Bonham.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Daniel.	Rawlins.
Davis.	Renfro
DeBerry.	of Angelina.
Dunlap.	Renfro of Mills.
Duvall.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Sanders.
Gibson.	Shaver.
Gilbert.	Shearer.
Hagaman.	Shirley.
Hall.	Simmons.
Harman.	Sinks.
Hefley.	Smith of Atascosa.
High.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holder.	Smith of Smith.
Holland.	Stell.
Hornaday.	Stevenson.
Kirby.	Storey.
Land.	Stout.
Long.	Taylor.
Loy.	Teer.
McCombs.	Tillotson.
Minor.	Van Zandt.
Montgomery.	Waddell.
Morse.	Wallace
Moursund.	of Freestone.
Murphy.	Wallace of Panola.

Ware.
Wells.
Whitaker.
Williams
of Sabine.

Williams
of Travis.
Woodall.
Woodruff.
Young.

Nays—27.

Albritton.
Avis.
Black.
Boggs.
Brice.
Enderby.
Farrar.
Finlay.
Fuchs.
Graves.
Gray.
Justice.
Kennedy.
Kincaid.

King of
Throckmorton.
Kirkland.
McGill.
Olsen.
Pavlica.
Pearce.
Ramsey.
Smyth.
Snelgrove.
Turner.
Veatch.
Walker.
Wassell.

Present—Not Voting.

Webb.

Absent.

Acker.
Alexander.
Anderson.
Barnett.
Bird.
Branch.
Cox.
Cummings.
Eickenroht.
Gates.
Harding.
Johnson.
Jones.

Keeton.
Kemble.
King of Hopkins.
Loftin.
Masterson.
Parrish of Travis.
Poage.
Pool.
Satterwhite.
Sheats.
Sutton.
Swain.

Absent—Excused.

Bass.
Boon.
Denman.
Dielmann.
Foster.
Jacks.
Kayton.
Kenyon.

Kinnear.
Lipscomb.
McKean.
Merritt.
Reagan.
Runge.
Wallace of Smith.
Williamson.

SENATE BILL NO. 197 ON SECOND
READING.

On motion of Mr. McCombs, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 197, A bill to be entitled "An Act relative to actions involving decedents, executors, administrators and guardians."

The Speaker laid the bill before the House and it was read second time.

Mr. McCombs offered the following amendments to the bill:

(1)

Amend Senate bill No. 197, page 2, line 12, by changing the period to a semicolon and adding the following:

"And provided further, that any such party participating in or present at any such transaction or in whose presence any statement by or to the deceased or ward was made, shall not be disqualified as a witness by this article, if any adverse party was present or participated and is living and competent to testify at the time of the trial or whose testimony has been lawfully preserved."

(2)

Amend Senate bill No. 197, page 1, line 19, in the caption, by inserting after the words "deceased parties" and before the comma the following: "And provided further that any such party participating in or present at any such transaction or in whose presence any statement by or to the deceased or ward was made, shall not be disqualified as a witness by this article, if any adverse party was present or participated and is living and competent to testify at the time of the trial or whose testimony has been lawfully preserved."

The amendments were severally adopted.

Mr. Storey moved that further consideration of the bill be postponed indefinitely.

Yeas and nays were demanded, and the motion to postpone prevailed by the following vote:

Yeas—80.

Albritton.	Graves.
Avis.	Gray.
Barnett.	Hagaman.
Bateman.	Hall.
Black.	Harman.
Boggs.	Hesley.
Bonham.	High.
Brice.	Hogg.
Brown.	Holland.
Conway.	Justice.
Cornwell.	Keeton.
Cummings.	Kemble.
Daniel.	Kennedy.
Davis.	Kincald.
DeBerry.	King of
Dunlap.	Throckmorton.
Enderby.	Kirby.
Farrar.	Kirkland.
Faulk.	Land.
Finlay.	Loftin.
Forbes.	Long.
Fuchs.	Loy.
Gibson.	McGill.
Gilbert.	Minor.

Moursund.	Smith of Smith.
Murphy.	Smyth.
Nabors.	Snelgrove.
Olsen.	Stell.
Parish of Runnels.	Stevenson.
Pavlica.	Storey.
Pearce.	Stout.
Petsch.	Turner.
Pool.	Veatch.
Pope.	Waddell.
Purl.	Walker.
Ramsey.	Wallace
Renfro	of Freestone.
of Angelina.	Wallace of Panola.
Renfro of Mills.	Ware.
Rogers of Hays.	Wassell.
Rogers of Shelby.	Webb.
Rowell.	Whitaker.
Sanders.	Williams
Sheats.	of Sabine.
Shirley.	Williams
Simmons.	of Travis.
Sinks.	Woodall.
Smith of El Paso.	Woodruff.
Smith of Nueces.	Young.

Nays—13.

Barron.	Morse.
Beck.	Porter.
Duvall.	Shearer.
Holder.	Tillotson.
Hornaday.	Van Zandt.
McCombs.	Wells.
Montgomery.	

Present—Not Voting.

Nicholson.	Shaver.
Parrish of Travis.	

Absent.

Acker.	King of Hopkins.
Alexander.	Masterson.
Anderson.	Poage.
Bird.	Powell.
Branch.	Rawlins.
Cox.	Satterwhite.
Eickenroht.	Smith of Atascosa.
Fly.	Sutton.
Gates.	Swain.
Harding.	Taylor.
Johnson.	Teer.
Jones.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Mr. Storey moved to reconsider the

vote by which the bill was postponed indefinitely, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 292 ON SECOND READING.

On motion of Mr. Boggs, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 292, A bill to be entitled "An Act providing for the extermination of rattlesnakes; authorizing the commissioners courts of the several counties to use part of the revenue of the county for paying a bounty for the killing of rattlesnakes, and providing the method of expenditure, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Boggs offered the following amendment to the bill:

Amend House bill No. 292 by adding at the end of Section 2, line 20, the following: "Provided, that no bounty shall be paid for any rattlesnake that was killed more than thirty days prior to date that claim for bounty is presented to the commissioners court."

The amendment was adopted.

Mr. Boggs offered the following amendment to the bill:

Amend House bill No. 292 by striking out the "period" at end of Section 3 and adding the following words: "by burning them within twenty-four hours after claim for bounty is allowed."

The amendment was adopted.

On motion of Mr. Bonham, the bill was laid on the table subject to call.

SENATE BILL NO. 275 ON SECOND READING.

On motion of Mr. Purl, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 275, A bill to be entitled "An Act relative to white and negro communities, in municipalities, to foster a separation of white and negro residence communities in the interest of peace, safety and welfare; fixing a penalty, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to third reading.

SENATE BILL NO. 275 ON THIRD READING.

Mr. Purl moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 275 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.

Avis.
Barnett.
Barron.
Bateman.
Beck.
Black.
Bonham.
Brice.
Brown.
Conway.
Cornwell.
Cummings.
Daniel.
Davis.
DeBerry.
Dunlap.
Duvall.
Enderby.
Farrar.
Finlay.
Fly.
Forbes.
Fuchs.
Gibson.
Gilbert.
Graves.
Gray.
Hagaman.
Hall.
Harman.
Hefley.
High.
Hogg.
Holder.
Holland.
Hornaday.
Justice.
Kennedy.
Kincaid.
King of
Throckmorton.
Kirby.
Kirkland.
Land.
Loftin.
Long.
Loy.
McCombs.
Minor.
Montgomery.
Morse.
Moursund.

Murphy.
Nabors.
Nicholson.
Parish of Runnels.
Parrish of Travis.
Pool.
Pope.
Porter.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Sanders.
Shaver.
Shearer.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of Atascosa.
Smith of El Paso.
Smith of Nuéces.
Smith of Smith.
Snelgrove.
Stell.
Stevenson.
Storey.
Stout.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Ware.
Wassell.
Webb.
Wells.
Williams of Sabine.
Williams of Travis.
Woodall.
Woodruff.
Young.

Nays—6.

Albritton.	Olsen.
Boggs.	Pavlica.
McGill.	Smyth.

Present—Not Voting.

Pearce.

Absent.

Acker.	Keeton.
Alexander.	Kemble.
Anderson.	King of Hopkins.
Bird.	Masterson.
Branch.	Petsch.
Cox.	Poage.
Eickenroht.	Powell.
Faulk.	Rowell.
Gates.	Satterwhite.
Harding.	Sutton.
Johnson.	Swain.
Jones.	Whitaker.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

The Speaker then laid Senate bill No. 275 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—104.

Mr. Speaker.	Gibson.
Albritton.	Gilbert.
Avis.	Graves.
Barnett.	Gray.
Barron.	Hagaman.
Beck.	Hall.
Black.	Harman.
Boggs.	Hesley.
Bonham.	High.
Brown.	Hogg.
Conway.	Holder.
Cornwell.	Holland.
Cummings.	Hornaday.
Daniel.	Kennedy.
Davis.	Kincaid.
Dunlap.	King of
Duvall.	Throckmorton.
Enderby.	Kirkland.
Farrar.	Land.
Finlay.	Loftin.
Fly.	Long.
Forbes.	Loy.
Fuchs.	McCombs.

Minor.	Smith of El Paso.
Montgomery.	Smith of Nueces.
Morse.	Smith of Smith.
Moursund.	Snelgrove.
Murphy.	Stell.
Nabors.	Stevenson.
Nicholson.	Storey.
Olsen.	Stout.
Parish of Runnels.	Taylor.
Parrish of Travis.	Teer.
Pavlica.	Tillotson.
Pearce.	Turner.
Petsch.	Van Zandt.
Pope.	Veatch.
Porter.	Waddell.
Purl.	Walker.
Ramsey.	Wallace
Rawlins.	of Freestone.
Renfro	Wallace of Panola.
of Angelina.	Ware.
Renfro of Mills.	Wassell.
Rogers of Hays.	Webb.
Rogers of Shelby.	Wells.
Sanders.	Whitaker.
Shaver.	Williams
Shearer.	of Sabine.
Sheats.	Williams
Shirley.	of Travis.
Simmons.	Woodall.
Sinks.	Woodruff.
Smith of Atascosa.	Young.

Nays—1.

McGill.

Present—Not Voting.

Brice.

DeBerry.

Absent.

Acker.	Keeton.
Alexander.	Kemble.
Anderson.	King of Hopkins.
Bateman.	Kirby.
Bird.	Masterson.
Branch.	Poage.
Cox.	Pool.
Eickenroht.	Powell.
Faulk.	Rowell.
Gates.	Satterwhite.
Harding.	Smyth.
Johnson.	Sutton.
Jones.	Swain.
Justice.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

HOUSE BILL NO. 342 ON SECOND
READING.

On motion of Mr. Renfro of Mills, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 342; A bill to be entitled "An Act to amend Article 2691, Revised Statutes, 1925, relating to the organization of teachers' institutes; providing for the payment of teachers for attendance upon institutes, repealing all laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Graves offered the following amendment to the bill:

Amend House bill No. 342, pages 1 and 2, by striking out all of Section 1 below line 16, and inserting in lieu thereof the following: "may organize and hold, in each of said counties, with such assistance as may be necessary, within the week preceding the opening of a majority of the schools of the county as determined by the county board of trustees, one institute of two consecutive days for white and for colored teachers, respectively, and he may require the attendance of white teachers upon the institute for white teachers and the attendance of colored teachers upon the institute for colored teachers; provided, that the county superintendent may hold such additional teachers' meetings during the first nine months of the scholastic year, not to exceed three full days, as may be authorized by the county board of school trustees. Teachers shall be paid at the rate of their regular monthly salaries for attendance upon the two-day institute, and for attendance upon such additional teachers' meetings as may be authorized by the county board of school trustees; provided, that payment for institute attendance may be made at the close of the last school month of the term; provided further, that the county board of school trustees shall determine whether teachers in their respective counties shall be paid for attendance upon such other teachers' meetings as may be authorized by said board. The plan, scope, and quality of work in both county and independent school district institutes shall be approved by the State Superintendent of Public Instruction. The board of trustees of any independent school district having five hundred or

more scholastic population may authorize the superintendent of schools in such district to organize and hold institutes for the teachers in such districts, in lieu of the county institute."

On motion of Mr. Brown, the amendment was tabled.

House bill No. 342 was passed to engrossment.

HOUSE BILL NO. 342 ON THIRD
READING.

Mr. Renfro of Mills moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 342 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—98.

Mr. Speaker.

Avis.
Barnett.
Bateman.
Beck.
Black.
Boggs.
Bonham.
Brice.
Brown.
Conway.
Cornwell.
Cummings.
Daniel.
Davis.
Dunlap.
Duvall.
Farrar.
Faulk.
Finlay.
Fly.
Forbes.
Fuchs.
Gibson.
Gilbert.
Gray.
Hagaman.
Hall.
Harman.
Hefley.
High.
Hogg.
Holland.
Hornaday.
Justice.
Kennedy.
Kincaid.
King of
Throckmorton.
Kirby.
Land.
Loftin.
Long.
Loy.

McCombs.
McGill.
Minor.
Montgomery.
Morse.
Murphy.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Petsch.
Pope.
Porter.
Powell.
Ramsey.
Renfro.
of Angelina.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Rowell.
Shaver.
Shearer.
Sheats.
Shirley.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Stevenson.
Storey.
Stout.
Taylor.
Teer.
Tillotson.
Turner.
Van Zandt.
Waddell.
Walker.
Wallace.
of Freestone.
Wallace of Panola.
Ware.

Wassell.
Wells.
Williams
of Sabine.

Williams
of Travis.
Woodall.

Nays—15.

Albritton.
Enderby.
Graves.
Holder.
Kirkland.
Moursund.
Nabors.
Nicholson.

Olsen.
Simmons.
Snelgrove.
Stell.
Veatch.
Webb.
Woodruff.

Present—Not Voting.

DeBerry.

Absent.

Acker.
Alexander.
Anderson.
Barron.
Bird.
Branch.
Cox.
Eickenroht.
Gates.
Harding.
Johnson.
Jones.
Keeton.
Kemble.

King of Hopkins.
Masterson.
Poage.
Pool.
Purl.
Rawlins.
Sanders.
Satterwhite.
Smith of Atascosa.
Sutton.
Swain.
Whitaker.
Young.

Absent—Excused.

Bass.
Boon.
Denman.
Dielmann.
Foster.
Jacks.
Kayton.
Kenyon.

Kinnear.
Lipscomb.
McKean.
Merritt.
Reagan.
Runge.
Wallace of Smith.
Williamson.

The Speaker then laid House bill No. 342 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—91.

Mr. Speaker.
Albritton.
Avis.
Barnett.
Barron.
Bateman.
Beck.
Black.
Boggs.
Bonham.
Brown.
Conway.
Cornwell.

Cummings.
Daniel.
Davis.
Dunlap.
Duvall.
Farrar.
Faulk.
Finlay.
Fly.
Forbes.
Fuchs.
Gibson.
Gilbert.

Gray.
Hagaman.
Hall.
Harman.
Hefley.
High.
Hogg.
Holder.
Holland.
Hornaday.
Justice.
Kennedy.
Kincaid.
King of
Throckmorton.
Loftin.
Long.
McGill.
Minor.
Montgomery.
Morse.
Murphy.
Olsen.
Parish of Runnels.
Parrish of Travis.
Pavlica.
Pearce.
Petsch.
Pool.
Pope.
Porter.
Ramsey.
Renfro.
of Angelina.
Renfro of Mills.

Rogers of Hays.
Rogers of Shelby.
Rowell.
Sanders.
Shaver.
Shearer.
Sheats.
Shirley.
Sinks.
Smith of El Paso.
Smith of Nueces.
Smith of Smith.
Smyth.
Stevenson.
Storey.
Stout.
Taylor.
Teer.
Turner.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Ware.
Wassell.
Wells.
Whitaker.
Williams
of Sabine.
Williams
of Travis.
Woodall.
Young.

Nays—16.

Brice.
DeBerry.
Enderby.
Graves.
Kirkland.
McCombs.
Moursund.
Nabors.

Nicholson.
Simmons.
Snelgrove.
Stell.
Van Zandt.
Veatch.
Webb.
Woodruff.

Present—Not Voting.

Powell.

Absent.

Acker.
Alexander.
Anderson.
Bird.
Branch.
Cox.
Eickenroht.
Gates.
Harding.
Johnson.
Jones.
Keeton.
Kemble.

King of Hopkins.
Kirby.
Land.
Loy.
Masterson.
Poage.
Purl.
Rawlins.
Satterwhite.
Smith of Atascosa.
Sutton.
Swain.
Tillotson.

Absent—Excused.

Bass.

Boon.

Denman.	Lipscomb.
Dielmann.	McKean.
Foster.	Merritt.
Jacks.	Reagan.
Kayton.	Runge.
Kenyon.	Wallace of Smith.
Kinnear.	Williamson.

HOUSE BILL NO. 161 WITH SENATE AMENDMENTS.

Mr. Petsch called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 161, A bill to be entitled "An Act amending Article 879 of Chapter 6 of Title 13 of the Revised Criminal Statutes of Texas of 1925, which article provides for the regulation of the seasons in which wild game may be hunted and killed, and the seasons in which it is lawful to hunt and kill such wild game, including doves, quail, pheasant, turkey, rail, plover, ducks, prairie chickens, deer, bear and fox; and which amendment provides for seasons in which it shall be lawful to hunt and kill the wild game named and in which the season for hunting and killing such wild game shall be closed; and providing for the addition at the end of said article to the proviso that there shall be no closed season for the hunting and killing of squirrels and that it shall be lawful to hunt and kill the wild red or fox squirrels and the wild gray squirrels, in the counties of Gonzales and Austin."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Petsch moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

HOUSE BILL NO. 480 WITH SENATE AMENDMENTS.

Mr. Wells called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 480, A bill to be entitled "An Act to amend Article 952, Revised Criminal Statutes of 1925, so as to provide better protection for fish and marine life in the counties of Comal, Guadalupe, Bexar, Kerr, Bandera and Real, and by adding Medina county to the above mentioned counties; repealing Article 953, Revised Criminal Statutes of 1925, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Wells, the House concurred in the Senate amendments by the following vote:

Yeas—106.

Mr. Speaker.	Olsen.
Albritton.	Parish of Runnels.
Avis.	Parrish of Travis.
Barnett.	Pearce.
Barron.	Petsch.
Bateman.	Pool.
Beck.	Pope.
Boggs.	Porter.
Bonham.	Powell.
Brice.	Purl.
Brown.	Ramsey.
Conway.	Renfro
Cornwell.	of Angelina.
Cummings.	Renfro of Mills.
Daniel.	Rogers of Hays.
Davis.	Rogers of Shelby.
DeBerry.	Rowell.
Dunlap.	Sanders.
Duvall.	Shaver.
Enderby.	Shearer.
Farrar.	Sheats.
Faulk.	Shirley.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Smith of Atascosa.
Fuchs.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Graves.	Smyth.
Gray.	Snelgrove.
Hagaman.	Stell.
Hall.	Stevenson.
Harman.	Storey.
Hefley.	Stout.
High.	Swain.
Hogg.	Taylor.
Holder.	Teer.
Holland.	Tillotson.
Hornaday.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King of	Waddell.
Throckmorton.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Loftin.	Wallace of Panola.
Long.	Ware.
Loy.	Wassell.
McCombs.	Webb.
McGill.	Wells.
Minor.	Williams
Montgomery.	of Sabine.
Morse.	Williams
Moursund.	of Travis.
Murphy.	Woodall.
Nabors.	Young.
Nicholson.	
	Absent.
Acker.	Alexander.

Anderson.	Kemble.
Bird.	King of Hopkins.
Black.	Kirby.
Branch.	Masterson.
Cox.	Pavlica.
Eickenroht.	Poage.
Gates.	Rawlins.
Gibson.	Satterwhite.
Harding.	Smith of Smith.
Johnson.	Sutton.
Jones.	Whitaker.
Justice.	Woodruff.
Keeton.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

HOUSE BILL NO. 123 ON SECOND READING.

On motion of Mr. Rowell, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 123, A bill to be entitled "An Act to amend Article 847 of the Code of Criminal Procedure of the State of Texas, by providing therein that no judgment of a trial court shall be reversed for any error which manifestly did no injury to defendant."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

REPORT OF THE COMMITTEE TO CONSIDER CERTAIN BILLS.

The Speaker laid before the House, for consideration at this time, the report of the committee to recommend certain bills for consideration:

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

My Dear Sir: The committee appointed by you to consider Senate and House bills on the Speaker's table which have not yet reached second reading, of which there are 200, or which may be on third reading, of which there are 25, desire to respectfully report that after a preliminary consideration of the many bills, both Senate and House, that are involved in the duties to which the committee has been called to devote itself, we are wholly unable in the very

brief time permissible to give due and equal consideration to each of these measures.

Recognizing the difficulties confronting us, and regretting that the circumstances prevent the proper performance of the work which it was your hope we might lend our aid in advancing, we make the following recommendations:

First: That the House continue the consideration of Senate and House bills in accordance with the suspension rule we are now operating under, by authority of the suspension of paragraphs 3 and 4 of Rule 19, and by unanimous consent until the hour of 12 o'clock midnight, of March 14, 1927.

Second: That all joint resolutions that are in position to have a place on the calendar in their regular order until 12 o'clock noon, of March 15, 1927, have a place on the calendar of Tuesday forenoon, for the specific reason that the committee understands a concurrent resolution has been adopted that amendments to the Constitution be given preferential consideration.

Third: That from and after 12 o'clock noon, of March 15, 1927, being the last twenty-four hours, the standing rule of the House be observed, and that said last twenty-four hours be devoted to the adoption of conference reports, and the correction of errors in bills.

Fourth: Carefully considering the large number of bills, and the impossibility of reaching all of them, your committee respectfully submits to the consideration of the Speaker and the House, the question of whether or not it is the higher duty of the House to devote time available before going under the last twenty-four-hour rule, which must be held inviolate for the consideration of agreements between the two Houses, and the correction of errors, and that the House give preference to House bills on third reading and final passage, and to Senate bills.

Respectfully submitted,
TILLOTSON,
SINKS,
DUVALL,
Committee.

The report was adopted by the following vote:

Yeas—92.

Mr. Speaker.	Barron.
Albritton.	Beck.
Avis.	Boggs.
Barnett.	Bonham.

Brice.	Purl.
Brown.	Ramsey.
Conway.	Rawlins.
Cornwell.	Renfro
Cummings.	of Angelina.
Duvall.	Renfro of Mills.
Faulk.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Rowell.
Fuchs.	Sanders.
Gibson.	Satterwhite.
Gilbert.	Shaver.
Gray.	Shearer.
Hagaman.	Shirley.
Hall.	Simmons.
Harman.	Sinks.
Hefley.	Smith of Atascosa.
High.	Smith of El Paso.
Hogg.	Smith of Nueces.
Holder.	Smith of Smith.
Holland.	Smyth.
Hornaday.	Snelgrove.
Justice.	Stevenson.
Kincaid.	Storey.
King of	Stout.
Throckmorton.	Swain.
Kirkland.	Taylor.
Land.	Teer.
McCombs.	Tillotson.
McGill.	Van Zandt.
Minor.	Veatch.
Montgomery.	Waddell.
Morse.	Walker.
Moursund.	Wallace
Murphy.	of Freestone.
Nabors.	Wallace of Panola.
Nicholson.	Ware.
Olsen.	Wells.
Parish of Runnels.	Whitaker.
Parrish of Travis.	Williams
Petsch.	of Sabine.
Pool.	Williams
Pope.	of Travis.
Porter.	Woodruff.
Powell.	Young.

Nays—13.

Black.	Long.
Davis.	Pavlica.
DeBerry.	Pearce.
Enderby.	Stell.
Finlay.	Turner.
Kennedy.	Woodall.
Loftin.	

Absent.

Acker.	Farrar.
Alexander.	Gates.
Anderson.	Graves.
Bateman.	Harding.
Bird.	Johnson.
Branch.	Jones.
Cox.	Keeton.
Daniel.	Kemble.
Dunlap.	King of Hopkins.
Eickenroht.	Kirby.

Loy.	Sutton.
Masterson.	Wassell.
Poage.	Webb.
Shears.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 39, Expressing appreciation of the Legislature to the United Daughters of the Confederacy for certain gifts to State.

H. B. No. 162, A bill to be entitled "An Act to amend Chapter 176 of the General Laws of the Thirty-eighth Legislature so as to increase the salary of the judge of the county court of Dallas County at Law No. 1, and the salary of the court of Dallas County at Law No. 2 from thirty-six hundred dollars (\$3600) per annum to forty-eight hundred dollars (\$4800) per annum; prescribing the method of payment, and declaring an emergency."

H. B. No. 215, A bill to be entitled "An Act to amend Article 6143, Title 106, providing that the State Board of Control and State Parks Board shall give due consideration to the pecan tree when beautifying State parks or other public property belonging to the State, and declaring an emergency."

H. B. No. 386, A bill to be entitled "An Act to amend Article 3888 of the Revised Civil Statutes for 1925 so as to make provision for the funds out of which the salary of county judges acting as ex-officio superintendent would be paid, and declaring an emergency."

H. B. No. 437, A bill to be entitled "An Act to provide for the creation of public parks in counties having an assessed taxable valuation of one hundred and forty million dollars or more, and providing for the issuance of bonds for the creation and maintenance of such parks and to purchase the requisite lands therefor, providing a tax of five

cents on the \$100 property valuation to pay the interest on such bonds and to create a sinking fund therefor, and further providing that such tax of five cents shall be in addition to all other taxes allowed to such counties by law and providing for the creation of an advisory park board under the direction of the commissioners court of each county, and repealing Article 0078 of the Revised Civil Statutes of 1925, and all other laws in conflict herewith in so far as same apply to counties having an assessed property valuation of one hundred and forty million dollars or more, and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act enabling cities and incorporated villages to pass zoning regulations granting full power to said cities and incorporated villages; providing for the creation of districts; declaring purposes in view; providing for the method of procedure; providing for certain changes; providing for a commission; providing for a board of adjustment; providing for its powers and duties; providing certain methods of enforcement and remedies; providing the method to be followed in case of conflict with other laws; providing for the validity for all parts of the law not declared unconstitutional, and declaring an emergency."

H. B. No. 63, A bill to be entitled "An Act amending Article 1087 of the Code of Criminal Procedure of the State of Texas, relating to the arrest and custody of a delinquent child or children, so as to provide for the detention of such a child or children in counties having a population of fifty thousand or more, and declaring an emergency."

H. B. No. 64, A bill to be entitled "An Act amending Article 834 of the Penal Code of the State of Texas, making it a penal offense for any person to cause, encourage or contribute to the delinquency of any minor under the age of seventeen years, and declaring an emergency."

H. B. No. 294, A bill to be entitled "An Act validating the appointment of guardians when citation was published, as provided in Chapter 170, Acts Regular Session, 1917, being now Article 28 of the Revised Civil Statutes of Texas, 1925, and where such citation was not published as provided in Article 4115 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

The Senate has adopted the Free Con-

ference Committee report on Senate bill No. 30.

Has postponed indefinitely

H. B. No. 81, A bill to be entitled "An Act to amend Article 577 of the Code of Criminal Procedure."

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

SENATE BILL NO. 304 ON THIRD READING.

Mr. Holland moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 304 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.

Alexander.

Barnett.

Barron.

Bateman.

Beck.

Black.

Boggs.

Bonham.

Brice.

Brown.

Conway.

Cornwell.

Cummings.

Davis.

DeBerry.

Duvall.

Enderby.

Farrar.

Faulk.

Finlay.

Fly.

Forbes.

Fuchs.

Gibson.

Gilbert.

Graves.

Gray.

Hagaman.

Harman.

Hesley.

High.

Hogg.

Holder.

Holland.

Hornaday.

Justice.

Kennedy.

Kincaid.

Kirby.

Kirkland.

Land.

Lipscomb.

Loftin.

Long.

McCombs.

McGill.

Montgomery.

Morse.

Moursund.

Nicholson.

Parish of Runnels.

Parrish of Travis.

Pearce.

Petsch.

Pool.

Pope.

Porter.

Powell.

Purl.

Ramsey.

Rawlins.

Renfro

of Angelina.

Renfro of Mills.

Rogers of Hays.

Rogers of Shelby.

Sanders.

Satterwhite.

Shaver.

Shearer.

Shirley.

Simmons.

Sinks.

Smith of Atascosa.

Smith of El Paso.

Smith of Nueces.

Smith of Smith.

Smyth.

Snelgrove.

Stell.

Storey.

Stout.

Swain.

Taylor.

Teer.

Tillotson.

Turner.

Van Zandt.	Whitaker.
Veatch.	Williams
Waddell.	of Sabine.
Wallace of Panola.	Williams
Ware.	of Travis.
Wassell.	Woodall.
Webb.	Woodruff.
Wells.	Young.

Nays—7.

Albritton.	Murphy.
Avis.	Nabors.
Hall.	Walker.
King of	
Throckmorton.	

Absent.

Acker.	King of Hopkins.
Anderson.	Loy.
Bird.	Masterson.
Branch.	Minor.
Cox.	Olsen.
Daniel.	Pavlica.
Dunlap.	Poage.
Eickenroht.	Rowell.
Gates.	Sheats.
Harding.	Stevenson.
Johnson.	Sutton.
Jones.	Wallace
Keeton.	of Freestone.
Kemble.	

Absent—Excused.

Bass.	Kinnear.
Boon.	McKean.
Denman.	Merritt.
Dielmann.	Reagan.
Foster.	Runge.
Jacks.	Wallace of Smith.
Kayton.	Williamson.
Kenyon.	

The Speaker then laid Senate bill No. 304 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—91.

Mr. Speaker.	Davis.
Albritton.	DeBerry.
Alexander.	Dunlap.
Barnett.	Duvall.
Barron.	Enderby.
Beck.	Faulk.
Black.	Finlay.
Boggs.	Fly.
Bonham.	Forbes.
Brown.	Fuchs.
Conway.	Gibson.
Cornwell.	Gilbert.
Cummings.	Graves.
Daniel.	Hagaman.

Harman.	Satterwhite.
Hefley.	Shaver.
Hogg.	Shearer.
Holder.	Sheats.
Holland.	Simmons.
Hornaday.	Sinks.
Kennedy.	Smith of Atascosa.
Kincaid.	Smith of El Paso.
Kirby.	Smith of Nueces.
Kirkland.	Smith of Smith.
Land.	Smyth.
Loftin.	Snelgrove.
Long.	Stell.
McGill.	Stevenson.
Montgomery.	Storey.
Morse.	Taylor.
Moursund.	Teer.
Nicholson.	Turner.
Parish of Runnels.	Van Zandt.
Parrish of Travis.	Veatch.
Pearce.	Waddell.
Petsch.	Wallace
Pool.	of Freestone.
Pope.	Ware.
Porter.	Wassell.
Purl.	Webb.
Ramsey.	Wells.
Rawlins.	Whitaker.
Renfro of Mills.	Williams of Sabine.
Rogers of Hays.	Williams of Travis.
Rogers of Shelby.	Woodruff.
Sanders.	Young.

Nays—11.

Avis.	Nabors.
Bateman.	Olsen.
Hall.	Renfro
Justice.	of Angelina.
King of	Stout.
Throckmorton.	Walker.
Murphy.	

Present—Not Voting.

Brice.	Pavlica.
Farrar.	Powell.
Gray.	Wallace of Panola.
High.	Woodall.

Absent.

Acker.	King of Hopkins.
Anderson.	Loy.
Bird.	Masterson.
Branch.	McCombs.
Cox.	Minor.
Eickenroht.	Poage.
Gates.	Rowell.
Harding.	Shirley.
Johnson.	Sutton.
Jones.	Swain.
Keeton.	Tillotson.
Kemble.	

Absent—Excused.

Bass.	Boon.
-------	-------

Denman.	Lipscomb.
Dielmann.	McKean.
Foster.	Merritt.
Jacks.	Reagan.
Kayton.	Runge.
Kenyon.	Wallace of Smith.
Kinnear.	Williamson.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 50.

Mr. Beck submitted the following conference committee report on House bill No. 50:

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Barry Miller, President of the Senate, and Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sirs: We, your conference committee on House bill No. 50, have had same under consideration and have adjusted the differences between the House and Senate, and recommend the passage of the following substitute bill:

H. B. No. 50. By Beck.

A BILL

To Be Entitled

An Act to regulate motor-propelled passenger vehicles not usually operated on or over rails and engaged regularly in the business of transporting passengers for compensation or hire over the public highways of the State; defining motor-bus companies and declaring them to be common carriers; excepting motor-bus companies operating wholly within an incorporated town or city and suburbs thereof; defining the terms "corporation," "person," "public highway," "Highway Commission" and "Commission"; providing for the issuance of certificates of convenience and necessity, and of temporary certificates, to motor-bus companies, and prescribing the terms and conditions under which such certificates shall be granted and issued, the factors which shall govern the "Commission" in granting same, the period of time for which the same shall be granted and the conditions under which they shall be held; requiring the Railroad Commission of Texas to supervise and regulate the public service rendered by every motor-bus company, to fix or approve maximum and minimum fares, rates or charges, to prescribe all rules and regulations necessary for the government of motor-bus company, to prescribe routes, schedules, service and

safety of operations of motor-bus companies, to require filing of annual and other reports and data and do all things necessary to regulate all matters affecting the relationship between motor-bus companies and the traveling public, with due and proper consideration given to the highway laws of the State, orders, regulations, etc., of the Highway Commission, commissioners courts and the local government of municipalities; prescribing requirements of application for certificates, notice and time of hearing; requiring motor-bus companies to procure and keep in force liability and property damage insurance, and prescribing the terms and conditions of such policies, providing for revocation of certificates for failure to comply; providing for enforcement of such liability in regard thereto; requiring operators of motor-bus companies to protect their employes by a workman's compensation insurance; providing for the sale or transfer of any right, privilege, permit or certificate by any motor-bus company with the approval of the Commission; providing for the investigation and determination of complaints; authorizing the Commission or any member thereof or authorized representative to compel the attendance of witnesses, swear witnesses, take their testimony under oath; giving full power and authority to the Commission to perform all necessary things to carry out the purpose, intent and provisions of this act; providing for service upon, attendance and fees of witnesses and officers; fixing penalty for violation of the law and the rules and regulations of the Commission; providing for the suspension, revocation, alteration or amendments of permits and of certificate; providing for fees to be charged for the purpose of defraying the expenses of regulation, the collection and deposit of all such fees, together with all fines recovered by the State Treasurer, method of disbursement, and making appropriation of such sums so collected; providing for the employment by the Commission of all experts, assistants and other help necessary to enable it at all times to properly administer and enforce this act and to fix the compensation of such employes; making appropriation for initial expenses; providing for any deficiency and for transfer of surplus to the general revenue; providing for appeal from any action of the Commission; directing

Board of Control to set aside necessary additional office space; providing that if any portion of this act should be held unconstitutional the remainder shall not be invalid; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. (a) That the term "corporation" when used in this act means a corporation, company, association or joint stock association.

(b) The term "person" when used in this act means an individual, firm, or co-partnership.

(c) The term "motor-bus company" when used in this act means every corporation or person as herein defined, their lessees, trustees, receivers, or trustees appointed by any court whatsoever, owning, controlling, operating, or managing any motor-propelled passenger vehicle, not usually operated on or over rails, and engaged regularly in the business of transporting persons or passengers for compensation or hire over the public highways between points within the State of Texas, whether operating over fixed routes or otherwise, and provided further, that the term "motor-bus company" as used in this act shall not include corporations or persons, their lessees, trustees, or receivers, or trustees appointed by any court whatsoever, in so far as they own, control, operate, or manage motor-propelled passenger vehicles operated wholly within the limits of any incorporated town or city and the suburbs thereof, whether separately incorporated or otherwise.

(d) The term "public highway" when used in this act means every street, road or highway in this State.

(e) The term "Highway Commission" when used in this act means the Board of Highway Commissioners of the State of Texas.

(f) The term "Commission" when used in this act means the Railroad Commission of the State of Texas.

Sec. 2. All motor-bus companies, as defined herein, are hereby declared to be "common carriers" and subject to regulation by the State of Texas, and shall not operate any motor propelled passenger vehicle for the regular transportation of persons as passengers for compensation or hire over any public highway in this State except in accordance with the provision of this act; provided, however, that nothing in this act or any provision thereof shall be

construed or held to in any manner affect, limit or deprive cities and towns from exercising any of the powers granted them by Chapter 147, pages 307 to 318, inclusive, of the General Laws of the State of Texas, passed by the Thirty-third Legislature, or any amendments thereto.

Sec. 3. It is hereby declared that when existing transportation facilities on any highway in this State do not provide passenger service which the Commission shall deem adequate to provide for public convenience on such highway, then such inadequacy of service shall be considered as creating a condition wherein the public convenience and necessity require the designation of, and provision for, additional service on such highway, and it shall be the duty of the Commission to issue certificate or certificates as herein provided, if in the opinion of said Commission the issuance of such certificate will promote the public welfare.

Sec. 4. The Commission is hereby vested with power and authority, and it is hereby made its duty to supervise and regulate the public service rendered by every motor-bus company operating over the public highways in this State, to fix or approve the maximum or minimum, or maximum and minimum, fares, rates or charges of, and to prescribe all rules and regulations necessary for the government of each motor-bus company; to prescribe the routes, schedules, service and safety of operations of each such motor-bus company, to require the filing of such annual and other reports and of other data by such motor-bus company as the Commission may deem necessary; and to supervise and regulate motor-bus companies in all other matters affecting the relationship between such motor-bus companies and the traveling public, whether herein specifically mentioned or not.

The Commission, in prescribing and adopting routes and dealing with all other matters affecting the physical operation and control of motor-bus companies over the public highways, under the power and authority of this act, shall give due and proper consideration, in forming its conclusions and prescribing its orders and regulations, to the general highway laws of this State and to the orders, regulations, ordinances, or recommendations of the Highway Commission of Texas, or the commissioners courts of any county or counties or the local government of any municipality

through or between which the routes for such motor-bus companies are prescribed and adopted.

Sec. 5. No motor-bus company shall hereafter regularly operate for the transportation of persons as passengers for compensation or hire over the public highways of this State without first having obtained from the Commission under the provisions of this act a certificate or permit declaring that the public convenience and necessity require such operation; provided, however, that when it appears to the satisfaction of the Commission that any motor-bus company making application for a certificate or permit is operating and has been continuously operating a motor propelled passenger vehicle service in good faith, over the particular highways designated in said application for certificate or permit, for a period commencing January 11, 1927, or prior thereto, said motor-bus company shall, upon application, be granted a temporary permit to operate just as said company shall have been operating during said period and no more; said temporary certificate or permit shall become permanent without notice and hearing before the Commission unless a protest shall be filed with the Commission as provided herein; and in the event protest is filed to the application of such motor-bus company, then said temporary certificate or permit shall continue in effect until said application and protest is heard and decided upon by the Commission, and said hearing and decision shall be had and rendered by the Commission as speedily as possible.

At any time within thirty days after the day this act shall take effect anyone affected by the granting of said certificate or permit may file with the Commission a protest against said certificate or permit becoming or being made permanent, but such protest to be considered by the Commission must be filed within the specified thirty days and shall be in writing, and the author or authors of said protest shall supply the applying motor-bus company with a copy of same, setting forth in reasonable detail the reasons for said protest. In the event of protest to any application of any existing motor-bus company, hearing upon such application and protest shall be had and decision rendered as provided for all other applications.

In all other matters the holders of temporary or permanent certificates or

permits obtained in this manner shall be subject to all of the provisions of this act.

Any right, privilege, permit, or certificate held, owned or obtained by any motor-bus company under the provisions of this act may be sold, assigned, leased or transferred, or inherited; provided, however, that any proposed sale, assignment, lease or transfer shall be first presented in writing to the Commission for its approval or disapproval and the Commission may disapprove such proposed sale, assignment, lease or transfer if it be found and determined by the Commission that such proposed sale, assignment, lease or transfer is not made in good faith or that the proposed purchaser, assignee, lessee or transferee is not able or capable of continuing the operation of the equipment proposed to be sold, assigned, leased or transferred, in such manner as to render the service demanded by the public necessity and convenience on and along the designated route.

Provided, however, that any right, privilege, permit or certificate held, owned or obtained by any motor-bus company under the provisions of this act or owned or obtained by any assignee or transferee of any such motor-bus company shall be taken and held subject to the right of the State at any time to limit, restrict or forbid the use of the streets and highways of this State to any owner or holder of such right, privilege, permit or certificate.

Sec. 6. The Commission is hereby vested with power and authority, and it is hereby made its duty upon the filing of an application for a certificate of public convenience and necessity, to ascertain and determine under such rules and regulations as it may promulgate, after considering existing transportation facilities on such highway, the service rendered and capable of being rendered thereby, and the demand for, or need of additional service, if there exists a public necessity for such service, and if public convenience will be promoted by granting said application and permitting the operating of motor vehicles on the highways designated in such application, as a common carrier for hire.

Sec. 7. The Commission shall also ascertain and determine if a particular highway or highways designated in said application are of such type of construction or in such state of repair, or subject to such use as to permit of the use sought to be made by the appli-

cant, without unreasonable interference with the use of such highway or highways by the general public for highway purposes. And if the Commission shall determine, after hearing, that the service rendered or capable of being rendered by existing transportation facilities or agencies on such highways is reasonably adequate, or that public convenience on such highways would not be promoted by granting of said application and the operation of motor vehicles on the public highways therein designated, or that such highway or highways are not in such state of repair, or are already subject to such use as would not permit of the use sought to be made by the applicant without unreasonable interference with the use of such highway or highways by the general public for highway purposes, then in either or any of such events said application may be denied and said certificate refused, otherwise the application should be granted and the certificate issued upon such terms and conditions as said Commission may impose and subject to such rules and regulations as it may thereafter prescribe.

The Railroad Commission shall have no power in any event to refuse an application for a certificate of convenience and necessity on the ground that there are existing railroad or interurban railroad transportation facilities sufficient to serve the transportation needs of the territory involved.

In determining whether or not a certificate should be issued, the Commission shall give weight and due regard to (1) probable permanence and quality of the service offered by the applicant, (2) the financial ability and responsibility of the applicant and its organization and personnel, (3) the character of vehicles and the character and location of depots or termini proposed to be used, and (4) the experience of the applicant in the transportation of passengers and the character of the bond or insurance proposed to be given to insure the protection of its passengers and the public.

The Commission shall have the power and authority to grant temporary certificates to meet emergencies and shall have the power to make special rules and regulations to meet special conditions in different localities and for such time as in its judgment may be deemed expedient and best for the public welfare.

Sec. 8. No application for certificate shall be considered by said Commission

except that it be reduced to writing and set forth the following facts:

(a) It shall contain the name and address of the applicant, and the names and addresses of its officers, if any, and shall give full information concerning the financial condition and physical properties of the applicant.

(b) The complete route or routes over which the applicant desires to operate, together with a brief description of each vehicle which the applicant intends to use, including the seating capacity thereof.

(c) A proposed time schedule and a schedule of rates showing the passenger fares to be charged between the several points or localities to be served.

(d) It shall be accompanied by a plat or map showing the route or routes over which the applicant desires to operate, on which plat or map shall be delineated the line or lines of any existing transportation company or companies over the highways serving such territory, with the names and addresses of the owner or owners thereof, and shall point out the inadequacy of existing transportation facilities or service, and shall specify wherein additional facilities or service are required and would be secured by the granting of said application.

Sec. 9. Upon the filing of said application the Commission shall fix a time and place for hearing, and the place of hearing shall be the city of Austin, Texas, unless otherwise ordered by said Commission. Notice of the filing of said application, and the time and place of hearing shall be given by mail not less than ten days, exclusive of the day of mailing, before such hearing, addressed to the owner or owners of existing transportation facilities over the highways, serving such territory as applicant seeks to serve, as well as to the Highway Commission of the State of Texas, the county judge or judges of the counties and to the mayor of any incorporated city or town, through which such motor carriers seek to operate.

Sec. 10. The hearing shall be conducted under such rules and regulations as the Commission may prescribe, and all parties interested, including the Highway Commission of this State, may appear either in person or by counsel, and present such evidence and argument as they may desire and as the Commission may deem pertinent, in favor of or against the granting of said application. It shall be the duty of the Highway Commission of this State, upon the request of the Commission,

to furnish any and all information that it has at its command relating to the highway or highways designated in such application as well as such other information as said Commission may deem pertinent to the granting or refusal of such application. After such hearing, and such investigation as the Commission may make of its own motion, it shall be the duty of said Commission to either refuse said application and certificate, or to grant said application and issue said certificate, in whole or in part, upon such terms and conditions as it may impose, and subject to such rules and regulations as it may thereafter prescribe.

The Commission at any time by its order duly entered after hearing had upon notice to the holder of any certificate granted under this Act and an opportunity given such holder to be heard, at which hearing it shall be proven to the satisfaction of the Commission that such certificate holder has discontinued operation or has violated or refused or neglected to observe any of its proper orders, rates, fares, rules, or regulations, may suspend, revoke, alter or amend any certificate issued under the provisions of this Act, provided that the holder of such certificate shall have the right of appeal as provided herein.

Sec. 11. The Commission shall, in the granting of any certificate to any motor bus company for regularly transporting persons as passengers for compensation or hire, require the owner or operator to first procure liability and property damage insurance from a company licensed to make and issue such insurance policy in the State of Texas covering each and every motor propelled vehicle while actually being operated by such applicant. The amount of such policy or policies of insurance shall be fixed by the Commission by general order or otherwise, and the terms and conditions of said policy or policies covering said motor vehicles are to be such as to indemnify the applicant against loss by reason of any personal injury to any person or loss or damage to the property of any person other than the assured and his employees. Such policy or policies shall furthermore provide that the insurer will pay all judgments which may be recovered against the insured motor bus company based on claims for loss or damage from personal injury or loss of or injury to property occurring during the term of the said policy or policies and arising out of the actual operation of such motor bus

or busses, and such policy or policies shall also provide for successive recoveries to the complete exhaustion of the face amount thereof, and that such judgments will be paid by the insurer irrespective of the solvency or insolvency of the insured. Such liability and property damage insurance as required by the Commission shall be continuously maintained in force on each and every motor propelled vehicle while being operated in common carrier service. In addition to the insurance hereinabove set forth, the owner or operator shall also protect his employees by taking out workmen's compensation insurance either as provided by the Workmen's Compensation Laws of the State of Texas or in a reliable insurance company approved by the Railroad Commission of the State of Texas. The taking out of such indemnity policy or policies shall be a condition precedent to any operation and such policy or policies as required under this Act, shall be approved and filed with the Commission and failure to file and keep such policy or policies in force and effect as provided herein shall be cause for the revocation of the certificate and shall subject the motor bus company so failing to the penalties prescribed herein.

Sec. 12. The Commission shall have the power and authority under this Act to hear and determine all applications of motor bus companies; to determine complaints presented to it by motor bus companies, by any public official or by any citizen having an interest in the subject matter of the complaint, or it may institute and investigate any matter pertaining to automobile passenger transportation for compensation or hire upon its own motion. The Commission or any member thereof, or authorized representative of the Commission, shall have the power to compel the attendance of witnesses, swear witnesses, take their testimony under oath, make record thereof, and if such record is made under the direction of a Commissioner, or authorized representative of the Commission a majority of the Commission may upon the record render judgment as if the case had been heard before a majority of the members of the Commission. The Commission shall have the power and authority under this Act to do and perform all necessary things to carry out the purpose, intent, and provisions of this Act, whether herein specifically mentioned or not, and to that end may hold hearings at any place in Texas which it may designate.

Sec. 13. Each witness who shall be summoned to appear before the Commission or a Commissioner or authorized representative outside the county of his residence shall receive for his attendance the same per diem and fees as now provided for witnesses in attendance on district courts of this State in criminal cases, such fees and mileage shall be ordered paid upon proper voucher, sworn to by such witness and approved by the Commission or the Chairman thereof, out of the monies and funds arising under this Act; provided that no witness shall be entitled to any witness fees or mileage who is directly or indirectly interested in any motor bus or other transportation company involved in or concerning which the investigation or hearing on account of which he is called shall relate, and no witness furnished with free transportation shall receive pay for the distance he may have traveled on such free transportation. All process issued by the Commission for summoning witnesses or other purposes shall be directed to the sheriff or any constable of any county in the State of Texas and any sheriff or constable of any county in this State shall promptly execute any subpoena or other document directed to him by the Commission and shall receive such fees for this service as is now paid for like services in the district courts of this State, such payment to be made on accounts properly verified and approved by the Commission or the chairman thereof out of the fund provided in this Act.

Sec. 14. Every officer, agent, or employee of any corporation and every other person who violates or fails to comply with, or who procures, aids, or abets in the violation of any provision of this Act or fails to obey, observe, or comply with any order, decision, rule or regulation, direction, demand, or requirement of the Commission shall be guilty of a misdemeanor and upon conviction thereof shall be punished by fine not exceeding five hundred (\$500.00) dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment. Each day any provision of this Act or any rule, regulation, order, etc., of the Commission is violated shall constitute a separate offense, and the fact that the Commission may have caused prosecution for violation of its rules, regulations, etc., under the penal section of this Act shall not operate to prevent or limit the exercise of the authority of the Commission to suspend, revoke, alter or

amend permits or certificates as provided in Section 10 of this Act.

Sec. 15. For the purpose of defraying the expense of administering this Act, every motor bus company now regularly operating, or which shall hereafter regularly operate in this State, shall, in addition to other fees and charges provided for by law, at the time of the issuance of a certificate of convenience and necessity, as provided herein, and annually thereafter on or between September 1st and September 15th of each calendar year, pay a special minimum fee of ten (\$10.00) dollars for each motor propelled vehicle, and a further fee computed on the basis of fifty (50) cents per passenger seat for the rated passenger capacity of the vehicle or vehicles used.

If the certificate of convenience and necessity herein referred to is issued after the month of September of any year, the fees paid shall be proportionate to the remaining portion of the year ending August 31st following, but in no case less than one-fourth the annual fee. In case of emergencies or unusual temporary demands for transportation the fee for additional motor propelled vehicles for less periods shall be fixed by the Commission in such reasonable amounts as may be prescribed by general rule or temporary order.

All fees accruing hereunder and all fines collected under the provisions of this Act shall be payable to the State Treasurer at Austin, Texas, and shall, by the State Treasurer, be deposited in the State Treasury at Austin and credited to the fund to be known and designated as the "Motor Transportation Fund" and out of which all warrants for expenditures necessary in administering and enforcing this Act shall be paid.

Sec. 16. The Commission shall have power to employ and appoint from time to time such experts, assistants, and other help, in addition to its present force, as may be deemed necessary to enable it at all times to properly administer and enforce this Act. Such persons and employees of the Commission shall be paid for the services rendered such sums as may be fixed and prescribed by the Commission in monthly installments, and such salaries, wages and all fees that may be paid to witnesses and officers shall be paid out of the motor transportation fund by the State Treasurer on warrant of the Comptroller of Public Accounts on order or voucher approved by the Commission or the chairman thereof. All

actual and necessary traveling expenses of the members of the Commission and employees shall also be paid out of said motor transportation fund in the same manner as salaries, wages, and fees when such accounts shall have been itemized and sworn to by the Commission or employee incurring the expense and approved by the Commission or the chairman thereof.

If the amount or total of such gross receipts collected under the provisions of this act shall not be sufficient during any annual period to pay such salaries, costs, charges, fees, and expenses, then the deficit shall be paid by the State Treasurer out of any funds not otherwise appropriated. Until sufficient funds have accrued to said motor transportation fund for the payment of expenses, fees, etc., as provided herein, said expenses shall be paid by the State Treasurer out of any funds not otherwise appropriated, such sum to be paid out of the general revenue not to exceed the sum of five thousand dollars (\$5000), and said sum is hereby appropriated. Any surplus remaining in the motor transportation fund at the end of any fiscal year, after paying all such salaries, accounts, fees, and charges and after deducting such amount as may be contracted to be paid and incurred and such sum as may be reasonably estimated by the Commission for its use pending further collection of fees shall be paid over to the general revenue fund.

Sec. 17. If any such auto transportation company, association, corporation, or other party at interest be dissatisfied with any decision, rate, charge, rule, order, act, or regulation adopted by the Commission, such dissatisfied person, association, corporation, or party may file a petition setting forth the particular objection to such decision, rate, charge, rule, order, act, or regulation, or to either or all of them in the district court in Travis county, Texas, against said Commission as defendant. Said action shall have precedence over all other causes on the docket of a different nature and shall be tried and determined as other civil causes in a said court; either party to said action may appeal to the appellate court having jurisdiction of said cause and said appeal shall be at once returnable to said appellate court having jurisdiction of said cause and said action so appealed shall have precedence in said appellate court over all causes of a different character therein pending; provided, that if the court be in session at the time such

right of action accrues the suit may be filed during such term and stand ready for trial after ten days' notice. In all trials under this section the burden of proof shall rest upon the plaintiff who must show by the preponderance of evidence that the decisions, rates, regulations, rules, orders, classifications, acts, or charges complained of are unreasonable and unjust to it or them. The Commission shall not be required to give any appeal bond in any cause arising hereunder and no injunction shall be granted against any order of the Commission without hearing unless it shall clearly appear that irreparable injury will be done the complaining party if the injunction is not granted.

Sec. 18. Whenever notice is required in this act to be given ten days exclusive of the day of service and return shall be considered as reasonable notice; provided, that in case of emergency the Commission may hear any cause or complaint on less than ten days' notice.

Sec. 19. The State Board of Control is hereby authorized and directed to set aside such additional office space in the capitol at Austin as may be deemed necessary by the Commission for the proper performance of its added duties as herein defined.

Sec. 20. All laws and parts of laws in conflict herewith are hereby expressly repealed.

Sec. 21. If any section, subsection, sentence, clause, or phrase of this act is held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act.

Sec. 22. The fact that there is at this time a large number of individuals, firms and corporations using the highways of this State for the transportation of persons as passengers for hire, by motor propelled passenger vehicles, and the further fact that there is no law regulating this extensive branch of common carrier service, and no law to protect the public in its dealings with such common carrier, creates a public necessity requiring the suspension of the constitutional rule which requires all bills to be read in each house on three several days, and that such rule be and the same is hereby suspended, and that this act shall take effect from and after its passage, and it is so enacted.

Respectfully submitted,

BECK,
CUMMINGS,
McCOMBS,
MORSE,
MINOR,

On the part of the House.

STUART,
REAL,
MOORE,
WOODWARD,

On the part of the Senate.

SENATE BILL NO. 9 ON THIRD
READING.

On motion of Mr. Shaver, the regular order of business was suspended to take up and have placed on its third reading and final passage,

S. B. No. 9, A bill to be entitled "An Act relative to amending laws passed by the Thirty-ninth Legislature, same being the 'amnesty act.'"

The Speaker laid the bill before the House, it was read third time, and was passed by the following vote:

Yeas—78.

Mr. Speaker.	Pope.
Alexander.	Porter.
Avis.	Powell.
Barron.	Purl.
Beck.	Ramsey.
Bonham.	Rawlins.
Brice.	Renfro
Brown.	of Angelina.
Conway.	Renfro of Mills.
Cornwell.	Rogers of Hays.
Cummings.	Rogers of Shelby.
Davis.	Satterwhite.
DeBerry.	Shaver.
Duvall.	Sheats.
Faulk.	Shirley.
Fly.	Simmons.
Forbes.	Sinks.
Gilbert.	Smith of El Paso.
Hall.	Smith of Nueces.
Harman.	Smith of Smith.
High.	Smyth.
Hogg.	Stell.
Holder.	Stout.
Hornaday.	Swain.
Kincaid.	Taylor.
King of	Teer.
Throckmorton.	Van Zandt.
Land.	Veatch.
Loy.	Waddell.
McCombs.	Walker.
McGill.	Wallace
Minor.	of Freestone.
Montgomery.	Wallace of Panola.
Morse.	Ware.
Moursund.	Wassell.
Murphy.	Webb.
Nicholson.	Wells.
Parish of Runnels.	Williams
Parrish of Travis.	of Travis.
Petsch.	Young.
Pool.	

Nays—24.

Albritton.	Black.
Bateman.	Enderby.

Fuchs.
Hefley.
Holland.
Justice.
Kennedy.
Kirby.
Loftin.
Long.
Nabors.
Olsen.

Pavlica.
Rowell.
Sanders.
Shearer.
Smith of Atascosa.
Snelgrove.
Stevenson.
Storey.
Tillotson.
Turner.

Present—Not Voting.

Daniel.
Dunlap.
Gibson.
Gray.

Kirkland.
Pearce.
Woodall.

Absent.

Acker.
Anderson.
Barnett.
Bird.
Boggs.
Branch.
Cox.
Eickenroht.
Finlay.
Gates.
Graves.
Hagaman.
Harding.

Johnson.
Jones.
Keeton.
Kemble.
King of Hopkins.
Masterson.
Poage.
Sutton.
Whitaker.
Williams
of Sabine.
Woodruff.

Absent—Excused.

Bass.
Boon.
Denman.
Dielmann.
Foster.
Jacks.
Kayton.
Kenyon.

Kinnear.
Lipscomb.
McKean.
Merritt.
Reagan.
Runge.
Wallace of Smith.
Williamson.

Paired.

Mr. Farrar (present), who would vote "nay," with Mr. Williams (absent), who would vote "yea."

Reasons for Vote.

I wish the Journal to show that I raised the point of order that a two-thirds vote of all members present was necessary to suspend the rules of the House, providing that the consideration of bills under the four-day rule be extended from 6 o'clock Monday till 11:45 Monday night. I refer to Rule 23, page 121, of the Journal. No vote was taken on this extension except a viva voce vote. I refuse to vote on Senate bill No. 9 for the same reason that I refused to vote on it on engrossment.

FINLAY.

Original bill unconstitutional and that repeal bill was conceived in hatred and born of political aspirations and can serve no good purpose to the people of Texas, for if there was ever any benefits under amnesty bill to anyone such benefits are in the past. The bill is a political slap back void of good interest, and sets bad precedent, but rather furthers political strife.

SNELGROVE.

Mr. Speaker, I vote "yea" on Senate bill No. 9. I voted "no" two years ago. I believed then and do now that this bill is unconstitutional and should be removed from our statutes. However, I've voted "nay" (Saturday) this morning on bringing this bill up as I was protesting the manner of its being brought up. I hold this bill should either have been brought up under unanimous consent or by motion, which was not done.

STELL.

I voted against Senate bill No. 9 for the following reasons:

Section 2 of said bill gives as a reason for its repeal, that it is in violation of the Constitution of the State of Texas. I do not think so, and so contended at the time of the passage of the bill sought to be repealed in the Thirty-ninth Legislature. Without extended argument, it is my opinion that the fact that the Constitution excepted impeachment convictions from the pardoning power of the Governor, such power remains in the sovereign powers of the Legislature. To now vote for its repeal on that ground would be a self-stultification I will not inflict. But even should I be in error as to the constitutionality of the act, this bill effects nothing, whether passed or not passed; for if the amnesty bill was unconstitutional its beneficiary acquired no rights under it; if constitutional, the rights acquired are vested and can not be divested by repealing the law under which they were acquired.

My vote is not to be construed as an endorsement of all the acts and policies of the beneficiary of the amnesty act. Some of them I think wise and to the welfare of the State; others I can not endorse, and my vote on this bill is not an endorsement of those.

FARRAR.

My reasons for voting "nay" on Senate bill No. 9:

Whereas, the Ferguson amnesty bill and other Ferguson matters have become

the chief political football of certain people playing politics; and, whereas, the constitutionality of the bill is questionable; and, whereas, to further consider the measure means nothing to the State and people at large; therefore, I cast my vote "nay" in the interest of peace, happiness, and the future good will of the people of Texas.

LONG.

I intended to vote "yea" on Senate bill No. 9, but the methods employed by its partisans cause my blood to boil, and I don't believe I belong in the clique. Hate, prejudice and passion have ruled supreme. Those who dared oppose have been ground into the dust by the machine.

No method ever employed by Jim Ferguson could flaunt the written rules of law and order worse than the damnable method by which the bill was rammed down the throats of the minority who opposed this bill.

Because of the methods used by proponents of the Love Act, because I think the bill can do no good whatever, but that it will inflame the hearts of men, I vote "present."

WOODALL.

Mr. Wells moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 107 ON THIRD READING.

On motion of Mr. Rogers of Shelby, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 107, A bill to be entitled "An Act relative to regulating the practice of pharmacy."

The Speaker laid the bill before the House and it was read third time.

Mr. Rogers of Shelby offered the following amendment to the bill:

Amend Section 6 of House bill No. 107 as amended by (committee) amendment No. 1, printed on pages 617 and 618 of the House Journal, by striking out the words "nor to prevent the sale of poisonous substances which are sold exclusively for use in the arts, or for use as insecticides, when such substances are sold in unbroken packages bearing a label having plainly printed upon it the name of the contents the word 'poison' and the names of at least two readily obtainable antidotes," and substituting in lieu thereof the following: "nor to prevent

the sale of arsenic, arsenate lead, arsenate calcium, London purple, Paris green and other poisons, when sold to destroy butterflies, millers, larvae, cotton worms, cotton fleas, boll weevils and all other pests, nor to prevent the sale of poisonous substances when sold in unbroken packages for use in the arts."

The amendment was adopted.

Mr. Barnett moved that further consideration of the bill be postponed indefinitely.

Yeas and nays were demanded and the motion to postpone prevailed by the following vote:

Yeas—56.

Albritton.	Murphy.
Alexander.	Nabors.
Avis.	Pavlica.
Bateman.	Powell.
Black.	Renfro
Conway.	of Angelina.
Cornwell.	Sanders.
Enderby.	Sheats.
Farrar.	Shirley.
Finlay.	Sinks.
Fuchs.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Nueces.
Graves.	Smith of Smith.
Gray.	Snelgrove.
Hagaman.	Stell.
Hall.	Stevenson.
Hefley.	Turner.
Hogg.	Van Zandt.
Hornaday.	Waddell.
Justice.	Walker.
Kennedy.	Wallace of Panola.
King of	Ware.
Throckmorton.	Wassell.
Kirby.	Webb.
Land.	Whitaker.
Lipscomb.	Williams
Loftin.	of Sabine.
Long.	Woodall.
Loy.	

Nays—51.

Mr. Speaker.	McCombs.
Barron.	McGill.
Boggs.	Minor.
Bonham.	Montgomery.
Brice.	Morse.
Cummings.	Moursund.
Davis.	Nicholson.
DeBerry.	Parish of Runnels.
Dunlap.	Parrish of Travis.
Fly.	Pearce.
Forbes.	Petsch.
Harman.	Pool.
High.	Pope.
Holder.	Porter.
Holland.	Purl.
Kincaid.	Ramsey.

Rawlins.	Taylor.
Rogers of Hays.	Teer.
Rogers of Shelby.	Tillotson.
Rowell.	Veatch.
Satterwhite.	Wallace
Shaver.	of Freestone.
Shearer.	Wells.
Simmons.	Williams
Storey.	of Travis.
Stout.	Young.
Swain.	

Absent.

Acker.	Harding.
Anderson.	Johnson.
Barnett.	Jones.
Beck.	Keeton.
Bird.	Kemble.
Branch.	King of Hopkins.
Brown.	Masterson.
Cox.	Olsen.
Daniel.	Poage.
Duvall.	Renfro of Mills.
Eickenroht.	Smyth.
Faulk.	Sutton.
Gates.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Kirkland.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of
the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed simple resolution No. 89, requesting the House to return House bill No. 586 to Senate for further consideration.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 277, "An Act relating to the filing of land plans for the approval of municipal authorities."

S. B. No. 271, "An Act relative to

establishing building lines on streets, etc."

H. C. R. No. 35, Relating to certain bulletins for the State Library.

H. B. No. 352, "An Act making an emergency and supplemental appropriation out of the general revenues of this State for the maintenance and repair of the Governor's Mansion and grounds, including repairs, improvements, labor and replacement, and for purchasing new furniture and furnishings, for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

S. B. No. 404, "An Act to amend Article 322 of the Revised Civil Statutes for 1925, so as to provide for the election of a district attorney in certain judicial districts providing for the election of a criminal district attorney in certain counties, and declaring an emergency."

S. B. No. 409, "An Act to amend Articles 4401 and 4403 of the Revised Civil Statutes of Texas by providing that the Attorney General shall be authorized and required to attend sales of property under deed of trust, to bid on and buy in and sell said property."

H. B. No. 653, "An Act creating a special road law for Caldwell county, Texas, requiring surety bonds of road overseers, containing provisions that said county may fund the legal indebtedness outstanding against its road and bridge fund as of January 1, 1927, setting forth the method of said operation, and declaring an emergency."

S. B. No. 350, "An Act to authorize the commissioners courts of the various counties of the State of Texas to employ one or more nurses for the purpose of assisting in the promotion of public health and visiting and inspecting the pupils of the public schools, and to appropriate public funds in payment thereof."

S. B. No. 438, "An Act providing that no money or benefits to be paid or rendered on a weekly, monthly, or other periodic or installment basis to the insured or any beneficiary under any policy of insurance issued by a life, health or accident insurance company, including mutual and fraternal annuities and benefits in use by any employer, shall be liable to execution, attachment, garnishment or other process or operation of law to pay any debt or liability of the insured or any beneficiary, either before or after payment, except for premiums on such policy or debts of the insured secured by pledge thereof, and providing that whenever such pol-

icy or plan shall provide against assignments or commutations, assignments or commutations of a beneficiary in violation of such provision shall be void, and declaring an emergency."

H. B. No. 488, "An Act authorizing Banking Commissioner to appoint State Banking Examiners."

HOUSE BILL NO. 265 ON SECOND READING.

On motion of Mr. Rogers of Hays, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 265, A bill to be entitled "An Act providing for the regulation of gins, ginners and ginning; the licensing of ginners; prescribing the conditions of a ginner's bond; providing for proper packing, wrapping, marking and certifying of bales of cotton; providing for the collection of license fees to be used by the Commissioner of Agriculture for the enforcement of this act; requiring certain reports; providing penalties for the violation of this act; defining certain terms; repealing certain articles of the statute and all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Rogers of Hays offered the following (committee) amendment to the bill:

Amend Section 12 by adding the following, after the word "Act": "This shall not apply to metal tag referred to in Section 6, said metal tag to remain intact prior to process of compression."

The amendment was adopted.

Mr. Snelgrove offered the following amendment to the bill:

Amend House bill No. 265 by striking out Section 10.

Mr. Stout moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Snelgrove, it was adopted.

House bill No. 265 then failed to pass to engrossment.

SENATE BILL NO. 211 ON SECOND READING.

On motion of Mr. Shirley, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 211, A bill to be entitled "An Act prescribing that physical edu-

cation courses approved by the State Department of Education shall be taught in Texas public schools; providing for the certification of teachers of physical education; and authorizing the State Superintendent of Public Instruction to provide for the direction and supervision of physical education instruction in the public schools."

The Speaker laid the bill before the House, and it was read second time.

Mr. Brown offered the following amendment to the bill:

Amend Senate bill No. 211 by striking out the word "shall" and inserting in lieu thereof the word "may" in the following places:

Section 1, line 1, paragraph 1.

Section 1, paragraph 3, line 1.

Section 1, paragraph 4, line 2.

And in Section 2, line 2, strike out the word "shall" and insert in lieu thereof the word "may."

Mr. Kemble moved the previous question on the amendment and the bill and the main question was ordered.

Question first recurring on the amendment by Mr. Brown, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—57.

Albritton.	Land.
Avis.	Long.
Barnett.	Loy.
Bateman.	McCombs.
Boggs.	Murphy.
Brice.	Nabors.
Brown.	Parish of Runnels.
Conway.	Pavlica.
Cummings.	Pearce.
Davis.	Powell.
Dunlap.	Ramsey.
Enderby.	Renfro of Mills.
Farrar.	Satterwhite.
Faulk.	Shearer.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Stevenson.
Fuchs.	Storey.
Gray.	Turner.
Hagaman.	Veatch.
Hall.	Waddell.
High.	Wallace of Panola.
Holland.	Ware.
Kemble.	Wassell.
Kincaid.	Whitaker.
King of	Williams
Throckmorton.	of Sabine.
Kirby.	Woodall.
Kirkland.	

Nays—50.

Mr. Speaker. Barron.

Beck.	Renfro
Cornwell.	of Angelina.
Daniel.	Rogers of Hays.
DeBerry.	Rogers of Shelby.
Duvall.	Rowell.
Gibson.	Sanders.
Graves.	Shaver.
Harman.	Shirley.
Hogg.	Smith of El Paso.
Hornaday.	Smith of Nueces.
Kennedy.	Smith of Smith.
McGill.	Snelgrove.
Minor.	Stell.
Montgomery.	Stout.
Morse.	Swain.
Moursund.	Taylor.
Nicholson.	Teer.
Olsen.	Van Zandt.
Petsch.	Walker.
Pool.	Webb.
Pope.	Wells.
Porter.	Williams
Purl.	of Travis.
Rawlins.	Young.

Present—Not Voting.

Black. Holder.

Absent.

Acker.	Keeton.
Alexander.	King of Hopkins.
Anderson.	Loftin.
Bird.	Masterson.
Bonham.	Parrish of Travis.
Branch.	Poage.
Cox.	Sheats.
Eickenroht.	Smith of Atascosa.
Gates.	Smyth.
Gilbert.	Sutton.
Harding.	Tillotson.
Hefley.	Wallace
Johnson.	of Freestone.
Jones.	Woodruff.
Justice.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

On motion of Mr. Wells, the call of the House was extended until 12 o'clock m. today.

Senate bill No. 211 was then passed to third reading.

SENATE BILL NO. 162 ON SECOND READING.

On motion of Mr. Sinks, the regular order of business was suspended to take

up and have placed on its second reading and passage to third reading.

S. B. No. 162, A bill to be entitled "An Act providing that no law in this State shall prevent any person from vaccinating, inoculating or treating his own hogs with hog cholera virus or serum or other remedy; repealing any law in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Murphy offered the following amendment to the bill:

Amend Senate bill No. 162 by adding in line 12, after the word "hog," the following:

"Or for any person employed as a county demonstration agent from vaccinating, inoculating or treating any hogs in the county where he is employed."

The amendment was adopted.

Mr. Tillotson offered the following amendment to the bill:

Amend Senate bill No. 162, page 1, line 13, by striking out the following words in said line: "virus or" and "or other remedy," and amend the caption to correspond.

Signed—Tillotson, Shearer.

Mr. Kemble moved the previous question on the pending amendment and the bill and the main question was ordered.

Question first recurring on the amendment by Mr. Tillotson, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—23.

Beck.	Pope.
Dunlap.	Purl.
Duvall.	Rogers of Shelby.
High.	Shearer.
Hogg.	Smith of Atascosa.
Holland.	Stout.
Hornaday.	Taylor.
Kincaid.	Teer.
Land.	Wells.
McCombs.	Whitaker.
Morse.	Young.
Parish of Runnels.	

Nays—79.

Albritton.	Cornwell.
Alexander.	Cummings.
Avis.	Daniel.
Barnett.	Davis.
Barron.	DeBerry.
Black.	Enderby.
Bonham.	Farrar.
Brice.	Finlay.
Brown.	Fly.
Conway.	Forbes.

Fuchs.	Ramsey.
Gibson.	Rawlins.
Gilbert.	Renfro
Graves.	of Angelina.
Gray.	Rogers of Hays.
Hagaman.	Sanders.
Hall.	Satterwhite.
Harman.	Shaver.
Holder.	Sheats.
Justice.	Shirley.
Kemble.	Simmons.
Kennedy.	Sinks.
King of	Smith of El Paso.
Throckmorton.	Smith of Nueces.
Kirby.	Smith of Smith.
Kirkland.	Snelgrove.
Long.	Stell.
Loy.	Stevenson.
McGill.	Storey.
Minor.	Turner.
Montgomery.	Van Zandt.
Moursund.	Veatch.
Murphy.	Waddell.
Nabors.	Walker.
Nicholson.	Wallace
Olsen.	of Freestone.
Parrish of Travis.	Wallace of Panola.
Pavlica.	Ware.
Pearce.	Wassell.
Petsch.	Webb.
Poage.	Williams
Pool.	of Travis.
Powell.	Woodall.

Absent.

Acker.	Keeton.
Anderson.	King of Hopkins.
Bateman.	Loftin.
Bird.	Masterson.
Boggs.	Porter.
Branch.	Renfro of Mills.
Cox.	Rowell.
Eickenroht.	Smyth.
Faulk.	Sutton.
Gates.	Swain.
Harding.	Tillotson.
Hefley.	Williams
Johnson.	of Sabine.
Jones.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

Reason for Vote.

I originally opposed the "Physical Education" bill and signed a minority report, but I now vote "yea" because I am convinced that the public school children

ought to have the benefits of the training they will receive under this bill.

HOLDER.

Senate bill No. 162 was then passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

H. B. No. 314, A bill to be entitled "An Act to amend Section 19 of Article 8306, of the Revised Civil Statutes of Texas of 1925, relating to compensation for employes hired in Texas but injured outside of Texas, so as to provide that said section shall be amended to read as set forth in this act, and to declare an emergency," with amendment.

H. B. No. 20, A bill to be entitled "An Act to prevent fraud, misrepresentation or unfair practices in the sale of merchandise or other property by means of a plan commonly known as the 'endless chain,' imposing an occupation tax, fixing penalty, and declaring an emergency."

H. B. No. 318, A bill to be entitled "An Act amending Article 705 of Chapter 1, Title 12, of the Penal Code of the State of Texas adopted at the Regular Session of the Thirty-ninth Legislature of the State of Texas, regulating the manner of examination of employes of persons, firms, corporations or common carriers, operating or conducting any hotel, cafe, restaurant, dining car or other public eating place, or operating any bakery or meat market, public dairy or candy factory in this State."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

CONFERENCE COMMITTEE ON HOUSE BILL NO. 161.

The Speaker announced the appointment of the following Conference Committee on House bill No. 161:

Messrs. Fly, Wells, Woodall, Petsch and Finlay.

HOUSE BILL NO. 314 WITH SENATE AMENDMENTS.

Mr. McGill called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 314, A bill to be entitled "An Act to amend Section 19 of Article 8306 of the Revised Civil Statutes of Texas of 1925, relating to compensation for employes hired in Texas but injured outside of Texas, so as to provide that said section shall be amended to read as set forth in this act, and to declare an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. McGill moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

RELATING TO CONSIDERATION OF CERTAIN BILLS.

Mr. Bonham moved to reconsider the vote by which the House adopted the report of the committee relating to the consideration of bills.

The motion to reconsider prevailed.

Mr. Bonham offered the following amendment to the report:

Amend the resolution by striking out the words "12 o'clock midnight March 14," and insert the words "12 o'clock m. March 15."

The amendment was adopted by the following vote:

Yeas—75.

Mr. Speaker.
Alexander.
Barnett.
Barron.
Beck.
Bonham.
Brown.
Conway.
Daniel.
Davis.
Dunlap.
Duvall.
Enderby.
Fly.
Fuchs.
Gibson.
Gilbert.
Gray.
Hagaman.
Harman.
Holder.
Hornaday.
Kemble.
Kennedy.
Kirby.
Loy.
Masterson.
McCombs.

McGill.
Montgomery.
Morse.
Moursund.
Murphy.
Nabors.
Nicholson.
Parrish of Travis.
Petsch.
Pool.
Pope.
Porter.
Purl.
Ramsey.
Rawlins.
Renfro
of Angelina.
Renfro of Mills.
Rogers of Hays.
Sanders.
Satterwhite.
Shaver.
Shearer.
Sheats.
Shirley.
Simmons.
Sinks.
Smith of Atascosa.

Smith of El Paso.	Veatch.
Smith of Nueces.	Waddell.
Smith of Smith.	Walker.
Snelgrove.	Wallace
Stell.	of Freestone.
Stevenson.	Wallace of Panola.
Stout.	Wassell.
Swain.	Webb.
Teer.	Wells.
Turner.	Young.
Van Zandt.	

Nays—28.

Avis.	King of
Black.	Throckmorton.
Boggs.	Kirkland.
Brice.	Land.
Cornwell.	Long.
Cummings.	Olsen.
DeBerry.	Pavlica.
Forbes.	Pearce.
Graves.	Rogers of Shelby.
Hall.	Storey.
High.	Taylor.
Holland.	Ware.
Justice.	Whitaker.
Kincaid.	Williams of Travis.
	Woodall.

Absent.

Acker.	Jones.
Albritton.	Keeton.
Anderson.	King of Hopkins.
Bateman.	Loftin.
Bird.	Minor.
Branch.	Parish of Runnels.
Cox.	Poage.
Eickenroht.	Powell.
Farrar.	Rowell.
Faulk.	Smyth.
Finlay.	Sutton.
Gates.	Tillotson.
Harding.	Williams
Hefley.	of Sabine.
Hogg.	Woodruff.
Johnson.	

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

The report as amended was then adopted by the following vote:

Yeas—75.

Mr. Speaker.	Brice.
Alexander.	Brown.
Barnett.	Conway.
Beck.	Cornwell.
Bonham.	Cummings.

Davis.	Purl.
Dunlap.	Ramsey.
Duvall.	Rawlins.
Enderby.	Renfro
Farrar.	of Angelina.
Finlay.	Renfro of Mills.
Fly.	Rogers of Hays.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Gray.	Sheats.
Hagaman.	Simmons.
Hall.	Sinks.
Harman.	Smith of Atascosa.
Hogg.	Smith of El Paso.
Holder.	Smith of Nueces.
Hornaday.	Smith of Smith.
Kemble.	Stell.
Kennedy.	Stevenson.
Kirby.	Stout.
Loy.	Swain.
Masterson.	Teer.
McCombs.	Turner.
McGill.	Van Zandt.
Montgomery.	Veatch.
Morse.	Waddell.
Moursund.	Walker.
Murphy.	Wallace
Nabors.	of Freestone.
Nicholson.	Wallace of Panola.
Parrish of Travis.	Wassell.
Petsch.	Webb.
Pool.	Wells.
Pope.	Young.
Porter.	

Nays—25.

Avis.	Long.
Black.	Olsen.
Boggs.	Parish of Runnels.
DeBerry.	Pavlica.
Graves.	Pearce.
High.	Rogers of Shelby.
Holland.	Storey.
Justice.	Taylor.
Kincaid.	Ware.
King of	Whitaker.
Throckmorton.	Williams
Kirkland.	of Travis.
Land.	Woodall.

Absent.

Acker.	Harding.
Albritton.	Hefley.
Anderson.	Johnson.
Barron.	Jones.
Bateman.	Keeton.
Bird.	King of Hopkins.
Branch.	Loftin.
Cox.	Minor.
Daniel.	Poage.
Eickenroht.	Powell.
Faulk.	Rowell.
Foster.	Shirley.
Gates.	Smyth.

Snelgrove.
Sutton.
Tillotson.

Williams
of Sabine.
Woodruff.

Absent—Excused.

Bass.	Lipscomb.
Boon.	McKean.
Denman.	Merritt.
Dielmann.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.
Kinnear.	

MOTION TO TAKE UP SENATE BILL NO. 162.

Mr. Veatch moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 162 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—65.

Mr. Speaker.	Pavlica.
Alexander.	Pearce.
Barnett.	Petsch.
Black.	Pool.
Bonham.	Powell.
Brice.	Ramsey.
Brown.	Rawlins.
Cornwell.	Renfro
Davis.	of Angelina.
DeBerry.	Renfro of Mills.
Enderby.	Rogers of Hays.
Farrar.	Satterwhite.
Finlay.	Shaver.
Fly.	Sheats.
Forbes.	Simmons.
Gibson.	Sinks.
Graves.	Smith of El Paso.
Gray.	Smith of Nueces.
Hagaman.	Smith of Smith.
Hall.	Stell.
Harman.	Stevenson.
Justice.	Swain.
Kennedy.	Turner.
Kincaid.	Van Zandt.
King of	Veatch.
Throckmorton.	Waddell.
Kirby.	Walker.
Kirkland.	Wallace
Long.	of Freestone.
Loy.	Wallace of Panola.
Masterson.	Wassell.
McGill.	Webb.
Murphy.	Williams
Nabors.	of Travis.
Nicholson.	Woodall.
Parrish of Travis.	Young.

Nays—38.

Avis.	Montgomery.
Barron.	Morse.
Bateman.	Moursund.
Boggs.	Olsen.
Conway.	Parish of Runnels.
Cummings.	Pope.
Daniel.	Porter.
Dunlap.	Purl.
Duvall.	Rogers of Shelby.
Fuchs.	Sanders.
Gilbert.	Shearer.
High.	Smith of Atascosa.
Hogg.	Storey.
Holland.	Stout.
Hornaday.	Taylor.
Kemble.	Ware.
Land.	Wells.
McCombs.	Whitaker.

Absent.

Acker.	Keeton.
Albritton.	King of Hopkins.
Anderson.	Loftin.
Beck.	Minor.
Bird.	Poage.
Branch.	Rowell.
Cox.	Shirley.
Eickenroht.	Smyth.
Faulk.	Snelgrove.
Gates.	Sutton.
Harding.	Teer.
Hefley.	Tillotson.
Holder.	Williams
Johnson.	of Sabine.
Jones.	Woodruff.

Absent—Excused.

Bass.	Kinnear.
Boon.	Lipscomb.
Denman.	McKean.
Dielmann.	Merritt.
Foster.	Reagan.
Jacks.	Runge.
Kayton.	Wallace of Smith.
Kenyon.	Williamson.

RECESS.

Mr. Satterwhite moved that the House recess to 9:30 o'clock a. m. tomorrow.

Mr. Pope moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. McCombs moved that the House recess to 10 o'clock a. m. tomorrow.

Mr. Shirley moved that the House recess to 8:30 o'clock a. m. tomorrow.

The motion of Mr. Satterwhite prevailed, and the House accordingly at 11:35 o'clock p. m. took recess to 9:30 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 588, "An Act making it illegal to take or trap fur-bearing animals in Cass county, and providing a penalty, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 605, "An Act amending Subdivision 2, of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, and providing for changing and prescribing terms and times of holding the courts in the Second Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of court in the several counties in said district as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the present act; to repeal all laws and parts of laws in conflict herewith; providing for and declaring an emergency, and providing time for this act to take effect."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 12, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 626, "An Act to amend Article 1323, of Chapter 3, of Title 32, of the Revised Civil Statutes of Texas of 1925, so as to provide that any corporation formed under subdivisions 1, 2 and 3, of Chapter 1, of Title 32, of such Revised Civil Statutes may elect all or part

of its directors for terms of not exceeding three years and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 647, "An Act amending subdivision 64, of Article 199, of the Revised Civil Statutes of 1925, so as to change the time of holding district court in Bailey county in the Sixty-fourth Judicial District of Texas, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 653, "An Act creating a special road law for Caldwell county,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 580, "An Act organizing and dividing the State of Texas into nine Administrative Judicial Districts, naming the counties composing each Administrative Judicial District; providing that the Governor shall designate a presiding judge in each of said districts, prescribing the duties of the presiding judge and district clerk of such administrative district; providing for assignment of judges for the holding of district court when the regular judge thereof is absent or disqualified from presiding; providing for the extension of the terms of court by any district judge and the calling of special terms of court and the transfer of judges from one administrative judicial district to another district; providing for the keeping of records by the clerk of each administrative judicial district of all proceedings and cases

pending in the several courts of the administrative district, and the making of annual reports to the Attorney General, and providing that the expenses incurred in administering this act shall be paid in equal proportions by the several counties composing the administrative district out of the general funds of said counties; and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 563, "An Act making appropriations to cover deficiencies in appropriations heretofore made for the support of the Judiciary Department of the State government, for the fiscal year ending August 31, 1927, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 525, "An Act providing for the fixing of the salary of the Secretary of the Railroad Commission of Texas by the Appropriation Committee from time to time, as the salaries of other State employees are fixed; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 497, "An Act directing the State Board of Education to make an apportionment of funds according to scholastic census of certain school districts; providing the method of taking the census; making an appropriation therefor, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 488, "An Act amending Article 350, Revised Civil Statutes of Texas of 1925, so as to authorize the Banking Commissioner of Texas to appoint State bank examiners, not to exceed one for each thirty banking corporations subject to examination, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 475, "An Act to amend Article 3902 (3903) of the Revised Statutes of the State of Texas for 1925, fixing in counties having a population of more than 70,000 and less than 100,000, as shown by the latest United States census, and containing two or more cities of more than 20,000 each population, as shown by said United States census, and composing two or more Judicial Districts with courts of general jurisdiction and having no district attorney, the maximum compensation to be paid to first assistants, heads of departments and other assistants to the office of county attorney in such counties, and providing for the allowing of such compensation and the manner of the payment thereof, by adding Section 3902b; repealing all laws and parts of laws in conflict with the amendments herewith provided for, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 426, "An Act to provide for

and regulate the method of taking or catching fish in the public fresh waters of Marion and Harrison counties, State of Texas; providing penalties for violation, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 212, "An Act to amend Articles 6686 and 6688 of the Revised Civil Statutes of 1925, which articles provide for the manner of registering motor vehicles by manufacturers or dealers, the issuance of distinctive license plates to such dealers and manufacturers; and which amendments provide for the filing with the registration officer by every dealer, affidavit of occupation as dealer, indicating make of motor vehicle sold; providing motor vehicles and motorcycles shall be registered in the county of residence of owner or of main place of business; providing for two number plates, marked 'front' and 'rear'; providing that every dealer or manufacturer shall transmit notice of every sale of motor vehicle to the Highway Department, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 7, "An Act prohibiting the sale or offer for sale, transportation, preparation, receiving or delivery for transportation or marketing of citrus fruit that is immature, unripe, over-ripe, frost damaged or otherwise unfit for consumption and the sale thereof declared to be a fraud upon the public; defining terms; prescribing the power and duties of the Commissioner of Agriculture with regard to the provisions of this act; providing for the enforcement thereof and prescribing penalties for violation of any of the provisions of this act,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 366, "An Act to validate the grants of land made by the crown of Spain to Juan Antonio Vidaurri, his heirs and assigns, of Porciones 39 and 40, lying and being situated in Zapata county, Texas, and to authorize the Commissioner of the General Land Office to issue patents to Juan Antonio Vidaurri, his heirs and assigns, to said Porciones, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 228, "An Act to amend Article 5125 of the Revised Civil Statutes of Texas for 1925 so that all male persons, regardless of color, under the age of seventeen (17) years who shall be lawfully committed to the State Juvenile Training School as a delinquent child shall be received as inmates of said training school, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 35, Relating to certain bulletins for the State Library,

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 352, "An Act making an emergency and supplemental appropriation out of the general revenues of this State for the maintenance and repair

of the Governor's Mansion and grounds, including repairs, improvements, labor and replacement, and for purchasing new furniture and furnishings for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 644, "An Act to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of the town of Pleasanton, in Atascosa county, Texas, which are unenforceable because same were made or adopted by resolution, motion or other informal action of order instead of by ordinance, and of all assessments of taxes or assessments of property within the limits of said town for taxation which are insufficient because of technical irregularities in the manner of preparing the books and reports thereof, and of all equalizations of such property for taxation purposes by boards of equalization acting for said town or its council which are insufficient because such equalization or reports thereof were made orally or in incomplete form, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 365, "An Act to amend Article 4192 of the Revised Civil Statutes of 1925, providing for the making of oil and gas and other mineral leases by guardians of the estates of minors, and other persons, upon the real estate belonging to the estates of their wards, providing for the time of making notice, and providing how such notice shall be made, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 498, "An Act repealing Chapter 9 of the Local and Special Laws of the State of Texas, passed by the Thirty-seventh Legislature at its Regular Session in 1921, relating to the road system of Coryell county."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 433, "An Act appropriating the sum of \$36,000, or so much thereof, as may be necessary for the compensation and expenses of the commissioners appointed by the Supreme Court of the United States under decree of January 3, 1927, in Cause No. 6, original October term, 1926, styled the State of Oklahoma, complainant, vs. the State of Texas, defendant, the United States of America, intervener, to run the boundary line between the State of Texas and the State of Oklahoma, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

Committee Room,
Austin, Texas, March 14, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 593, "An Act to levy and collect annually a three dollar road tax against all able-bodied male citizens of Wilson county, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and further providing for a penalty for failure or refusal to pay such tax; repealing all laws in conflict therewith, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.